

1-1-1973

An analysis of the Bilingual Education Act, 1967-68.

Gilbert Sanchez

University of Massachusetts Amherst

Follow this and additional works at: https://scholarworks.umass.edu/dissertations_1

Recommended Citation

Sanchez, Gilbert, "An analysis of the Bilingual Education Act, 1967-68." (1973). *Doctoral Dissertations 1896 - February 2014*. 4214.
https://scholarworks.umass.edu/dissertations_1/4214

This Open Access Dissertation is brought to you for free and open access by ScholarWorks@UMass Amherst. It has been accepted for inclusion in Doctoral Dissertations 1896 - February 2014 by an authorized administrator of ScholarWorks@UMass Amherst. For more information, please contact scholarworks@library.umass.edu.

312066 0296 6051 8

**FIVE COLLEGE
DEPOSITORY**

© Gilbert Sanchez 1973

All Rights Reserved

AN ANALYSIS OF THE BILINGUAL
EDUCATION ACT, 1967-68

A Dissertation Presented

By

Gilbert Sanchez

Submitted to the School of Education of the
University of Massachusetts
in partial fulfillment of the requirements for the degree of
DOCTOR OF EDUCATION

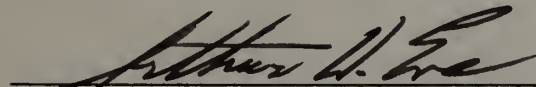
AN ANALYSIS OF THE BILINGUAL
EDUCATION ACT, 1967-68

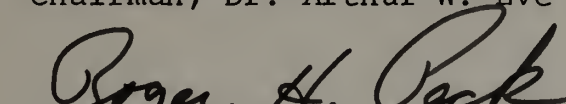
A Dissertation

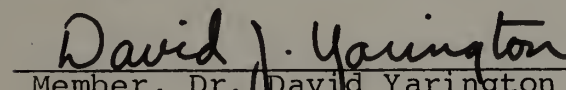
By

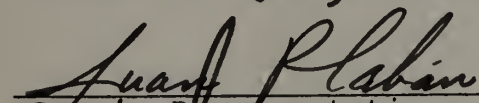
GILBERT SANCHEZ

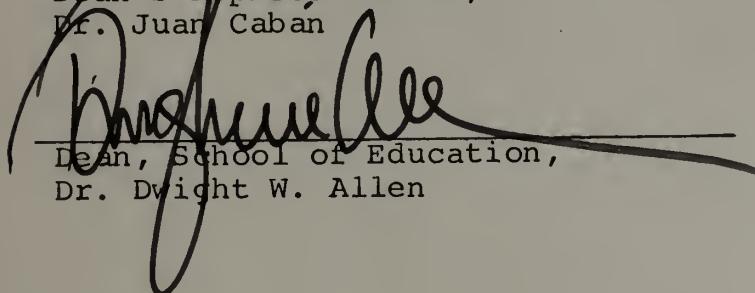
Approved as to style and content by:


Chairman, Dr. Arthur W. Eve


Member, Dr. Roger H. Peck


Member, Dr. David Yarrington


Dean's Representative,
Dr. Juan Caban


Dean, School of Education,
Dr. Dwight W. Allen

DEDICATION

To Monroe Sweetland,
a scholar,
a statesman,
and above all a friend.

ACKNOWLEDGEMENTS

The writer owes a debt of gratitude to all who assisted in the preparation of this dissertation. Sincere appreciation is expressed to Dr. Arthur W. Eve, Associate Professor of Education, University of Massachusetts, who directed and encouraged the writer to pursue this study.

The writer is grateful to Professors David Yarrington, Roger Peck, and Juan Caban, from the University of Massachusetts, for being members of the committee and for valuable teaching.

Dr. Jimmie Fortune is to be thanked for suggestions in the preparation of questionnaires.

Sincere appreciation goes to Dr. David Flight, Director of the Ford Foundation Executive Leadership Program of the School of Education, University of Massachusetts, for making available the Fellowship that financed the year of study at the University.

A particularly warm note of gratitude goes to Mr. James San Souci, Mr. Alfred Merino, Mr. Henry Casso, Miss Blandina Cardenas, and Mr. Larry Dye for much help and moral support.

The writer is sincerely grateful to his wife, Mary, and his three children, Michael, Lisa, and Mardee, for being so patient while this project was in progress.

PREFACE

The study described in this document is intended to add new knowledge and information about one aspect of education reform: The Bilingual Education Act of 1967-68.

This study will gather together a wide variety of existing data regarding the passage of the Bilingual Education Act from the literature, from governmental documents, from the legislation itself and from the operational guidelines related to the Act, as well as develop new data concerning it based on the perceptions of selected individuals who played a major role in its passage and promotion.

These objectives will be attained by conducting a thorough analysis of appropriate documents, e.g., conference reports, Congressional committee reports, transcripts of speeches, appropriate legislation, and the Bilingual Education operational guidelines. In addition, interviews will be conducted and questionnaire responses will be obtained from selected persons who were involved in the design and passage of the Bilingual Education Act.

TABLE OF CONTENTS

PREFACE.....	vi
LIST OF TABLES.....	ix
CHAPTER I. INTRODUCTION.....	1
The Beginnings	
Some Characteristics and Problems	
The Purpose of the Study	
Assumptions of the Study	
Design of the Study	
Limitations of the Study	
Significance of the Study	
Definition of Terms	
Abbreviations	
Organization of the Dissertation	
CHAPTER II. REVIEW OF RELATED LITERATURE AND RELATED RESEARCH.....	23
Introduction	
An Overview of Bilingual Education Literature for Spanish-Speaking Children Prior to the Passage of the Bilingual Education Act	
Identification of the Components and Program Objectives of the Bilingual Education Act	
An Overview of Bilingual Education Literature for Spanish-Speaking Children After the Passage of the Bilingual Education Act	
Historical Overview of Major Events Leading to the Passage of the Bilingual Education Act	
Legislative History	
Summary	
CHAPTER III. METHODS AND PROCEDURES.....	81
Introduction	
Selection of the Study Population	
Instrumentation	
Content of the Questionnaire	
Distribution and Return of Questionnaire	
Treatment of Data	

CHAPTER IV. FINDINGS.....	113
Introduction	
Biographical and Professional Characteristics	
Significant Events Leading to the Passage of the BEA	
Perceptions and Opinions Regarding the BEA Prior to its Enactment	
Perceptions and Opinions Regarding the First Two Years of the BEA's Implementation	
Concluding Remarks	
CHAPTER V. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS.....	150
Introduction	
Summary	
Attendance at Major Events	
Perceptions and Opinions Regarding the BEA Prior to its Enactment	
Perceptions and Opinions Regarding the First Two Years of the BEA's Implementation	
Conclusions	
Recommendations	
APPENDICES.....	164
BIBLIOGRAPHY.....	250

LIST OF TABLES

Table	Page
1. Sponsors of S. 428--Attendance Record.....	64
2. Special Subcommittee on Bilingual Education of Committee on Labor and Public Welfare, Senate-- Attendance Record.....	65
3. Staff of Special Subcommittee on Bilingual Education--Attendance Record.....	66
4. General Subcommittee on Education of the Committee on Education and Labor, House--Attendance Record.....	73
5. Staff of General Subcommittee on Education-- Attendance Record.....	74
6. Respondent's Identification Record.....	117
7. Level of Professional Preparation.....	118
8. Area of Academic Training/Specialization.....	119
9. Professional Positions Held during October 1966 to January 1968.....	120
10. Professional Organization Affiliation.....	122
11. Types of Professional Organization Affiliation Listed by Respondents.....	123
12. Languages Spoken at Home as a Child.....	124
13. Other Languages Spoken Interchangeably at Home as a Child.....	125
14. Attendance at Events According to Sponsorship.	127
15. Attendance at Events.....	128

16.	Grade Levels Study Population Intended the Bilingual Education Act to Serve.....	130
17.	Ethnic Groups Identified and Perceived as Having Priority in the Bilingual Education Act.....	132
18.	Languages Which Were Perceived as Having Priority in the Bilingual Education Act.....	133
19.	Organizations and Groups Perceived as Being Most Influential in the Enactment of the Bilingual Education Act.....	134
20.	Professional Organizations and Groups Named as Providing Leadership in the Enactment of the Bilingual Education Act.....	135
21.	Five People Perceived as Being Most Influential in the Enactment of the Bilingual Education Act.....	137
22.	Perceived Value Judgements About the Bilingual Education Act.....	140
23.	Types of Programs Perceived as Being Important to the Success of the Over-all Bilingual Education Effort.....	141
24.	Group Levels on Which the Bilingual Education Act has Made the Most Impact as Perceived by the Respondents.....	143
25.	Three Ethnic Groups Which Have Benefited Most from the Bilingual Education Act As Perceived by the Respondents.....	145
26.	Types of Programs Considered as Currently Contributing to the Over-all Success of Bilingual Education (Title VII, ESEA).....	146
27.	Members of Congress Currently Identified as Being Most Interested in Bilingual Edu- cation.....	148

C H A P T E R I

Introduction

The Beginnings

The roots of the problems facing non-English-speaking children in the American school system can be traced back roughly fifty years to the seemingly incongruous immigration policies of the 1920's and afterwards. Previous to the 1920's, at least part of American society subscribed to the "melting pot"¹ theory, under which large numbers of immigrants were allowed to enter this country. Samuel Eliot Morison describes the immigration policy born of this theory as based upon "unlimited and unrestricted immigration, except for Orientals, paupers, imbeciles and prostitutes."²

In 1921 and 1924 restrictions were placed on immigration, with the tightest restrictions falling on Southern European countries.³ However, countries in the western hemisphere were not affected by the quota systems established in 1924 and revised in 1929. The melting pot

¹Term coined by Israel Zangwill in his play The Melting Pot in 1908. Cf. J. C. Furnas, The Americans: A Social History (G. P. Putnam's Sons: New York, 1969), p. 841.

²Samuel Eliot Morison, The Oxford History of the American People (Oxford University Press: New York, 1965), p. 897.

³Ibid.

theory, of course, implies that all nationalities will fuse together as a common people. But the new and more selective barriers enacted in the immigration laws served only to reinforce, rather than to further mix, the existing racial components of American society.

The dichotomy that would lead to conflict within the American educational system is immediately apparent: on one hand the ever more restrictive immigration policy for Southern Europeans in the Old World, which implies a retreat from the melting pot theory, and on the other the unrestricted immigration policy for Mexicans and other New World immigrants, which implies the opposite.

Despite the different cultures from which immigrants fled and the different stereotypes they acquired once in this country,¹ they came for the same reasons: to escape oppression and famine. While the Irishman was fleeing a potato famine, the Mexican was fleeing a revolution which imposed hunger, poverty and a myriad of other societal ills.² But once in this country, a striking dissimilarity occurred: while the Northern European was gradually assimilated in this culture and spread out from

¹Furnas, op. cit., p. 840 ff.

²Cf. Henry Bransford Parkes, History of Mexico (Houghton Mifflin Co.: Boston, 1960). p. 410-440.

the Eastern ports from which he entered, the Mexican remained rooted in the Southwest.

It is not strange, then, that the Bilingual Education Act began in the Southwest its long journey from a need perceived by a large and relatively immobile minority to a statute affecting school systems throughout the nation. Neither is it strange that it began not with the needs of Northern European immigrants, who have always assimilated rather quickly into American culture, nor with the needs of Southern European or Asian immigrants, who since 1920 have been admitted only in small numbers, but with the Spanish-speaking immigrants from the New World.

Some Characteristics and Problems

In 1960, the Bureau of Census in the Department of Commerce in conjunction with the Department of Justice noted that 323,040 immigrants were admitted into the United States. Of this number 45,163, or nearly 14 per cent, were from Mexico.¹ Most of these immigrants intended future permanent residence in the Southwestern

¹U.S. Department of Justice, Report of the Immigration and Naturalization Service, (Washington, D.C.: Government Printing Office, 1960).

part of the United States.¹ The geographic proximity made the Southwest the most readily available place into which to settle--with California, Texas and Arizona most likely to receive these new immigrants.

Superimpose the above upon the median years of education for this population in the Southwestern States--8.1 years--and a median income of \$2,804 per year--and one finds a very under-educated group with a very low paying employment record.² These are additional factors in the development of the conflict within the educational system between this non-English speaking social group and the larger, much better educated and more powerful English-speaking group.

As the non-English speaking student entered class, he was forced to learn English and subject matter at the same time. The NEA-Tucson Survey group indicates that the Mexican-American comes to school knowing some English, but has used it infrequently. The language of his first years of childhood has been Spanish, and his personality

¹Ibid.

²Mexican-American Study Project, Advance Report 1, Education and Income of the Mexican-American in the Southwest (University of California: Los Angeles, 1965) p. 4.

and experiences have been shaped by it. Yet the language of instruction is English, and, when the child enters school, he finds himself in a strange and threatening environment. This survey group comments:

"...He (the Spanish-speaking child) suddenly finds himself not only with the pressing need to master an (to him) alien tongue, but also at the same time, to make immediate use of it in order to function as a pupil. His parents, to whom he has always looked for protection and aid, can be of no help at all to him in his perplexity. Moreover, as a result of cultural and economic differences between the English-speaking and the Spanish-speaking segments of his community, many of the objects, social relationships and cultural attitudes presented to him in lessons though perfectly familiar to an Anglo youngster, lie without the Latin American's home experience. Accordingly, the problem of learning English is, for him, enormously increased by his unfamiliarity with what objects and situations the no less unfamiliar words and phrases stand for."¹

In other words, the medium of instruction was legally English, and instruction was mono-linguistic and mono-cultural in nature.² Rare was the child, and perhaps

¹National Education Association, Department of Rural Education, Report of the NEA-Tucson Survey on the Teaching of Spanish to the Spanish-speaking, The Invisible Minority...Pero Non Vencibles (National Education Association: Washington, D.C., 1966), pp. 8-9.

²Heinz Kloss, Laws and Legal Documents Relating to Problems of Bilingual Education in the United States, (ERIC Clearinghouse for Linguistics: Washington, D.C., 1971).

rarer the family, who could successfully make the rapid transition in language and culture: the child looking to his family for support in mastering new and only partially understood social, cultural and educational experiences found only confusion, for the family was often left out of a school system's planning and unaware of the English background of many of the system's programs (such as intelligence testing). In turn, the family could hardly evaluate the child's performance. It is out of such misunderstandings and lack of communication that a school system fails to educate--one need look only at the current adventures into the study of "ghettoese" or black English to find such misunderstandings exist across a broad spectrum.

In dealing with bilingual education, one finds that the mono-linguistic tradition has not always been as dominating as it is today. Indeed, in a country of many immigrants, a bilingual tradition obviously exists. But this bilingual tradition has become increasingly unavailable. Heinz Kloss names the period 1917-1923 as the time that monolingualism became the sole force in American education, pointing out that English as the medium of instruction was required by 14 states in 1903, 17 states in 1913, and 34 states in 1923.¹

¹Kloss, op. cit., p. 4.

Not until 1965 when the UCLA Mexican-American Study Project and the "Tucson Survey started to delve into the educational needs and characteristics of the second largest minority group in the country did people realize what was happening to one of our countries largest human resources. Though Mexican-Americans are the largest non-English speaking group in the country, little hard data had been gathered about them.¹ All the Mexican-American community had was its own perceptions about the need for special programs to deal with non-English speaking children, but data was lacking. UCLA Mexican-American Study Project was using the 1960 Census in its data analysis, which led to the possibility that it was outdated and incorrect.² The Study dealt with only the five (5) southwestern states--Arizona, California, Colorado, New Mexico, and Texas--and assumed that most of the Spanish surnames depicted in the 1960 Census were Mexican-Americans.³

When this first report was issued, a staff member of the National Educational Association, Mr. Monroe Sweetland, decided that possibly the country's largest teacher organization

¹Mexican-American Study Project, Forward. p.v.

²Ibid., p.v.

³Ibid., Forward.

should be involved.¹ He decided that a survey should be initiated by the National Education Association with a future possibly of national legislation enacted as a result of the survey.

The needs and perceptions of the Mexican-American community did reach the nation's consciousness with the events leading up to, and including, the passage of the Bilingual Education Act. This study will attempt to look at and question those needs as expressed by selected and prominent leaders of that time, and to examine factual information about the conditions and situations which related to the events leading to the passage of the Bilingual Education Act, 1967-1968.

The investigator will also examine the perceptions of the individuals as expressed at the various events which were instrumental in the passage of this national legislation.

The investigator also proposes to determine the significance of the implementation of the Bilingual Education Act as perceived by the individuals identified in the passage of the Act.

¹Personal interview. November 1967 and February 1971.

It is hoped that the conclusions and implications of this proposed study will serve as a means of providing additional information to federal officials, community people, implementors of Bilingual Education programs, and future influencers of legislation.

The Purpose of the Study

The major objectives of the study are: (1) to determine the major actors influencing the passage of the Bilingual Education Act and to determine the major events leading up to its passage; (2) to analyze activities related to the Bilingual Education Act that occurred during the period from October 30, 1966 to January 15, 1968; (3) to identify the significant components and programs objectives within the Bilingual Education Act itself; and (4) to ascertain the perceptions of the major actors who were involved with the passage of the Bilingual Education Act with regard to the subsequent implementation of the significant components and program objectives of the Act.

With these general objectives serving as an overall framework, the specific purposes of the study are:

- I. Through the study of speeches, articles, correspondence materials, government documents, conference proceedings and reports, newspaper accounts and through the use of interviews, the investigator will:

- A. Identify and describe the major actors who were influential in the passage of the Bilingual Education Act of 1967-1968; and
 - B. Identify and describe the major events leading up to and influencing the passage of the Bilingual Education Act.
- II. Through an analysis of the Bilingual Education Act of 1967-1968 and the program guidelines for implementation of that Act as well as by conducting interviews with selected Federal officials, the investigator will:
- A. Determine the significant components of the Bilingual Education Act; and
 - B. Determine the program objective within the Bilingual Education Act.
- III. Through the design of a questionnaire the investigator will determine the perceptions of the major actors regarding the development of the Act and with regard to subsequent implementation of the significant components and program objectives of the Act.
- IV. Through an analysis and summary of the above data and descriptions, the investigator will:

- A. Develop conclusions regarding the major events, significant components and program objectives of the Bilingual Education Act;
- B. Present data regarding the major actors involved in the passage of the Bilingual Education Act and analyze their perceptions regarding the subsequent implementation of the significant components and program objectives of the Act; and
- C. Develop recommendations for the design and implementations of future legislation on the basis of knowledge acquired from this analysis of the Bilingual Education Act of 1967-1968.

Assumptions of the Study

1. It is assumed that the historical case study approach utilized in this investigation is an effective means for collecting data on the major events and major actors influential in the passage of the Bilingual Education Act.

2. It is assumed that the respondents will react candidly and honestly with regard to their involvement in the passage of the Bilingual Education Act.

3. It is assumed that the documents and informational materials that are analyzed will be accurate and complete since they have been obtained from governmental as well as professional organizations.

4. It is further assumed that this study will provide insights as to one aspect of education reform relating to the problems of Spanish-speaking Americans such as the Mexican-American, Puerto Rican and other Spanish-origin groups in the United States.

Design of the Study

The historical case study method of research will be utilized for this study. Data will be gathered from four basic sources: (1) conference proceedings and reports; (2) government documents as mandated by the U.S. House of Representatives and the U.S. Senate; (3) informal private and formal public interviews with the major actors; and (4) written questionnaires administered to the major actors who were involved in the passage of the Bilingual Education Act.

The conference proceedings and reports, government documents, newspaper accounts, and written documentation in learned journals will be analyzed, synthesized and utilized to describe the development of the major events leading to the passage of the Bilingual Education Act; to identify the major actors influencing the passage of the Bilingual Education Act; and to categorize the characteristics of said major events. To supplement this data, personal interviews are to be conducted to ascertain the informal relationship of the various organizations and individuals to the passage of the Bilingual Education Act.

In addition, a written questionnaire survey will be administered to the major actors to determine their perceptions as to the implementation of the Bilingual Education by the education establishment, i.e., local, state, and federal educational agencies and the U.S. Congress.

Limitations of the Study

1. Since most of the information was difficult to obtain due to lack of previous research in this particular area of education, the proposed study is limited to the information which was available and obtainable by the investigator.

2. The present study is limited to the period of time from October 30, 1966 to January 15, 1968. Due to the nature of personal interviews about past events, much of the data was collected on the basis of individual recall of information and events that individuals had been involved in approximately two to four years previously.

3. Because of the nature of this study, it is extremely difficult to identify the casual and informal relationships of individuals with each other as well as with the various organizations with which those individuals were affiliated. Nevertheless, a historical case study approach such as this will provide a basic source of information that may increase the reader's awareness of such subtleties.

4. Since the investigator was employed by one of the major organizations involved in the passage of the Bilingual Education Act during the specified time period,

it is possible that this may have biased his objectivity as to the role of several individuals within that organization.

Significance of the Study

Many different studies have been done about the various educational needs of the poor and minority groups in our society. All of these studies have attempted to identify the problems and create solutions which in turn are perceived as being panaceas for the educational needs of the target group. This latter perception is especially true when that panacea develops into national legislation.

A historical case study of the events and actors that influenced the development of a piece of educational reform legislation can effectively form a base of knowledge for further research and study. It can be useful to federal officials, community people, the educational community, and to our national legislators in seeing one aspect of educational reform having to do with a culturally and linguistically different segment of our society.

Definition of Terms

Bilingual Education:

The use of two languages, one of which is English, as mediums of instruction for the same pupil population in a well-organized program which encompasses part or all of the curriculum and includes the study of the history and culture associated with the mother tongue.¹

Target Group or Population:

The term refers to all children who will participate in the Bilingual Education Project.²

Project Area:

The project area is the legal attendance area served by the school or schools from which the target group is selected. The project area may be the total area served by the local educational agency or any subdivision of it.³

¹Bilingual Education Act (Title VII, ESEA).
Manual for Project Applicants and Grantees. April 20,
1971. pp. 1.

²Ibid., pp. 2.

³Ibid., pp. 3.

Children of Limited English-Speaking Ability:

Children who come from environments where the dominant language is one other than English.¹

Commissioner:

The U.S. Commissioner of Education.²

Dominant or Home Language:

The language commonly used in the child's home or community.³

Elementary School:

A day or residential school which provides elementary education, as determined under State Law.⁴

Local Educational Agency:

A public board of education or other public authority legally constituted within a State for either administrative control or direction of a public elementary or secondary school.

Dropout:

A person who withdraws from school before completing his elementary and secondary school education.

¹Regulations, Title VII of the Elementary and Secondary Education Act of 1965, as amended.

²Ibid.

³Ibid.

⁴Ibid.

Secondary School:

A day or residential school which provides secondary education, as determined under State law, except that it does not include education beyond grade 12.¹

State Educational Agency:

The State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State Law.²

National Education Association:

A private, non-profit professional educational organization with membership of over one million educators in the United States.

¹Regulations, pp. 2.

²Ibid., pp. 3.

Abbreviations

- BEA: Bilingual Education Act.
- ESEA: Elementary and Secondary Education Act of 1965.
- NEA: National Education Association.
- CTA: California Teachers Association.
- SEA: State Educational Agency.
- LEA: Local Educational Agency.
- USOE or OE: U.S. Office of Education.
- HEW: U.S. Department of Health, Education and Welfare.
- Southwest: Generally to mean the five (5) Southwestern states of Arizona, California, Colorado, New Mexico and Texas.
- Tucson Survey: The NEA-Tucson Survey on the Teaching of Spanish to the Spanish-speaking.
- House Hearings: Hearings before the General Subcommittee on Education of the Committee on Education and Labor House of Representatives, Ninetieth Congress, First Session on H.R. 9840 and H.R. 10224.
- Senate Hearings: Hearings before the Special Subcommittee on Bilingual Education of the Committee on Labor and Public Welfare, United States Senate. Ninetieth Congress, First Session on S. 428.
- Mexican-Americans: Generally ascribed to be the second largest minority group in the United States.

Organization of the Dissertation

Chapter I is intended to give the reader an overview of the study. The assumptions and limitations as stated in the introductory chapter are based on a preliminary related literature research. The procedure for conducting this study will be delineated in such a manner that they will all contribute to the significance of the study.

Chapter II will provide a detailed summary of the literature having to do with Bilingual Education for Spanish-speaking children during the period from October 30, 1966 to January 15, 1968. This will allow the reader to be aware of the interest and availability of research in this area.

As a secondary thrust in Chapter II the investigator will also provide an overview of the literature having to do with Bilingual Education for the Spanish-speaking child prior to and since the passage of the Bilingual Education Act. This will assemble for the reader the contrast in the interest in Bilingual Education prior to and after the passage of the Act.

Finally, Chapter II will also identify the significant components and program objectives that were finally written into the Bilingual Education Act.

Chapter III will report on the methodology utilized in the development of the questionnaire and the processes utilized in administering that questionnaire to the major actors in order to obtain their perceptions with regard to the implementation of the major components and program objectives of the Bilingual Education Act. It will also identify the major actors influential in the passage of the Act.

Chapter IV will consist of a presentation and an analysis of the data collected by means of the questionnaire. This information will ascertain the perceptions of the major actors regarding the implementation of the components and program objectives of the Act.

Chapter V, the final chapter, will include the summary of information and evidence presented in the previous chapters. This chapter will also draw some conclusions based on the information utilized.

Finally, Chapter V will develop recommendations for future influencers and developers of educational reform legislation. It will also delineate recommendations for implementors of the Bilingual Education Act.

C H A P T E R I I

REVIEW OF LITERATURE AND RELATED RESEARCH

Introduction

After the Mexican-American War of 1848, Mexico ceded to the United States a vast territory, including California, Arizona, and New Mexico, and also approved the annexation of Texas. All Mexicans residing within the ceded territory were to become United States citizens if they did not leave within one year after the ratification of the Treaty of Guadalupe Hidalgo by the U. S. Congress. Thus, the original inhabitants of the Southwest---the Spanish-speaking people---became a minority group in a country different in language and culture. All of this was to have a profound effect on the education of Spanish-speaking children in the United States.

The major obstacle to the successful education of Spanish-speaking children was America's ethnocentrism. This was demonstrated by American educators attempting to create bilingual students by the teaching of foreign languages¹ to mono-lingual English-speaking children. At

¹Donald D. Walsh, "Bilingualism and Bilingual Education," Foreign Language Annals, II, No. 3 (March, 1969), pp. 298-303.

the same time educators were dooming to failure those children who were already foreign language speakers. This latter student would eventually have to learn English to succeed in the American system. This situation was re-inforced when the medium-of-instruction was mandated by law to be English only.¹

Within the past ten years there have been two major pieces of federal legislation which have dealt with the education of Spanish-speaking children. The existing literature and research related to the two acts, The Elementary and Secondary Education Act of 1965 (ESEA) and the Bilingual Education Act of 1968 (BEA), have shown varying emphases in two major periods, with the passage of the Bilingual Education Act serving as the visible transition point between these two periods. Thus, the investigator found it helpful to organize Chapter II into the following major sections: (1) An Overview of Bilingual Education Literature for Spanish-speaking Children Prior to the Passage of the BEA; (2) Identification of the Components and Program Objectives of the BEA; (3) An Overview of the Bilingual Education Act Upon the Literature and Programs Relating to Spanish-speaking Children; and

¹Kloss, op. cit., pp. 12-15.

(4) Historical Overview of Major Events Leading to the Passage of the BEA.

An Overview of Bilingual Education Literature for Spanish-Speaking Children Prior to the Passage of the Bilingual Education Act

Dr. A. Bruce Gaarder, in his testimony before the Senate hearing on May 19, 1967, succinctly related the stage of development in bilingual education at that time:

Much of the literature on bilingualism does not deal with bilingual education. Rather it shows the unfortunate results when the child's mother tongue is ignored, deplored, or otherwise degraded.¹

Dr. Gaarder's comment on bilingual education was very applicable to much of the material that was published prior to 1968 on bilingual education for Spanish-speaking children. This material, of course, focussed many of the problems that the BEA would attempt to eliminate. For example, Dr. Hershel Manuel wrote on the psychological damage done to Spanish-speaking children when they encounter and remain in the education system.² Dr. Theodore Andersson

¹U. S. Congress, Senate, Committee on Labor and Public Welfare, Bilingual Education, Hearings, before a Special Sub-committee on Bilingual Education of the Committee on Labor and Public Welfare, U. S. Senate, on S. 428, to amend the ESEA of 1965, 90th Cong., 1st Sess., 1967, Vol. 1, p. 52.

²Hershel T. Manuel, Spanish-speaking Children of the Southwest, Their Education and Public Welfare (San Antonio: University of Texas Press, 1965).

dealt with the failure of the system to encourage Spanish speaking children to speak Spanish.¹ But it is not the intent of this study to deal with these psychological and sociological problems. Rather, the intent of this section is to ascertain the major currents in the relatively brief history of bilingual education. English-as-a-Second-Language, bilingualism, and foreign language education, because they are only vaguely related to the passage of the BEA, will not be examined in depth.

Bilingual education as a methodology to solve the educational needs of Spanish-speaking children was a relatively new idea at the time of the passage of the Elementary and Secondary Education Act which was enacted in April, 1965. Few, if any, of the programs that were to be funded by the U.S. Office of Education (U.S.O.E.) in the two-year period prior to the passage of the BEA were truly bilingual in nature.² They were instead programs emphasizing ESL with the child's mother tongue not utilized to teach him.³

¹Theodore Andersson, "A New Focus on the Bilingual Child," Modern Language Journal, Vol. XLIX, No. 3 (March, 1965). Dr. Andersson also authored "Why I Speak Spanish" in the Texas Foreign Language Association Bulletin, December, 1963.

²Senate Hearings, pp. 34-35.

³Senate Hearings, pp. 23-24. Dr. Harold Howe, U.S. Commissioner of Education, testified before the Senate Subcommittee on Bilingual Education on May 18, 1967. He included in his testimony records of programs in the area of bilingual education, specifically categorized as ESL. San Diego, California, was one of the better-funded ELS programs in the country according to Commissioner Howe's records.

Bilingual education, as originally conceived in the BEA and finally developed in the guidelines for funding of bilingual education programs, meant the use of the child's mother tongue as the medium-of-instruction with the school curriculum reflecting his history and culture. In addition, the use of this non-English mother tongue was to be developed and preserved to further enhance the child's self-concept.

ESL was basically a technique for teaching English to children of limited English-speaking ability. It was a method developed to teach English by rote drill. Although the individual's home language was considered to a limited degree, cultural differences were basically ignored. No actual concepts or educational experiences were taught in the student's own language or related to his culture.¹ This was where bilingual education and ESL differed.

The concept of bilingual education for Spanish-speaking students seems to have gained its impetus in the five Southwestern states of Arizona, California, Colorado, New Mexico and Texas. The majority of the target population were Mexican-Americans who had the highest school

¹Miss Lupe Anguiano, personal interview in Washington, D.C., March, 1972.

failure and the lowest educational achievement among Anglos¹ and Negroes.²

Within the NEA-Tucson Survey Team Report,³ issued in the fall of 1966, no mention was made of bilingual education. Instead, the report dealt with the consequences of the school curriculum ignoring the traits, culture, and language of the Mexican child, and forcing him to adhere to Anglo standards. What is at issue was that Spanish-speaking children were not being educated effectively, except in some very specific and unique programs especially developed for them.⁴

It was argued in the NEA-Tucson Survey Team Report that programs to meet the educational needs of Spanish-speaking children should have the following program elements:

1. Pre-school and primary grades should be the target population.

¹Anglo is defined as all caucasians who are no longer identified with their respective ethnic groups.

²The Mexican-American Study Project, Advance Reports 1, Education and Income of Mexican-Americans in the Southwest, and 7, The Schooling Gap: Signs of Progress, a Ford Foundation - sponsored Research Project (Los Angeles: University of California, 1965 and 1967).

³National Education Association, The Invisible Minority. ..Pero No Vencibles. Commonly referred to as the NEA-Tucson Survey Team Report, this was the result of the surveying of bilingual programs that were currently underway in 1965-66. Its purpose was to call attention to some of the constructive approaches to the problems of the Spanish-speaking child and to make possible the sharing of ideas, methods, and materials which apply to a bilingual system of teaching.

⁴NEA, Invisible Minority, pp. 18-25, a survey of these programs is documented.

2. The medium-of-instruction should be the non-English mother tongue until a proficiency in English is gained.
3. ESL should be a major ingredient of the curriculum.
4. The culture and history of the Spanish-speaking child should be an integral part of the curriculum.
5. Schools should recruit and hire Spanish-speaking teachers and teacher aides.

The above five points were the major areas to be implemented by ESEA Title I which was "to expand and improve educational programs to meet the special needs of educationally disadvantaged children in low-income areas."¹ Spanish-speaking Mexican-American children met this basic requirement,² thereby motivating the NEA-Tucson Survey Team Report to pinpoint the ESEA as the major source of funding.

These five points initially had their impact on a regional level and it was the Tucson, Arizona Conference,

¹See P.L. 89-10; 20 U.S.C., 240a-240m.

²Mexican-American Study Project, Education and Income of the Mexican-American, p. 4.

sponsored by the NEA,¹ which gave them national exposure. This was apparent by the number of influential educators and politicians who attended and organizations that sent representatives.²

Bilingual education as a possible solution for the educational needs of Spanish-speaking children was approved at this Conference in the form of a recommendation.³ New national legislation was needed to implement the programs desired by the conferees. It was implicit that the existing legislation was not adequate in the recommendation that "it [the national government] must provide whatever support is needed to see that every child in the Southwest gets a good education."⁴

In order to achieve an awareness of bilingual education for the Spanish-speaking student, another recommendation made, which was to have an effect on the passage of

¹Third National NEA-PR & R Conference on Civil and Human Rights in Education, Tucson, Arizona, October 30-31, 1966.

²The Proceedings of the Conference, Las Voces Nuevas del Sudoeste lists the organizations and individuals. See Appendix A in this document for a comprehensive list.

³Ibid., p. 4, A recommendation was made with the underlying theme that the "development of the home language of the Spanish-speaking child should begin in the first enrollment in school and continue through the grades."

⁴Ibid., p. 14. Senator Ralph Yarborough from Texas, who was in attendance at the conference, was to introduce the Bilingual American Education Act (Senate Bill 428) in the U.S. Senate within the first week of the next session of Congress, which was two and one-half months after the Conference.

the yet-to-be-introduced federal legislation, was the call for the state education associations to sponsor conferences similar to that being held in Tucson.¹ The states charged to conduct conferences were California, Colorado, New Mexico, and Texas.

The NEA-Tucson Survey Team Report recommended ESEA funds be utilized in the development of bilingual education and teacher training programs.² The Tucson, Arizona, Conference differed from this last recommendation in that it supported expanding the utilization of available financial resources to the Higher Education Act, the General Cooperation Research Act, the Vocational Education Act, and the Economic Opportunity Act. Yet at the same time, the Tucson Conference Proceedings implied that none of these Acts could be influenced to redirect their efforts to meet the educational needs of Spanish-speaking children.³

The introduction of the Bilingual American Education Act (S. 428) on January 17, 1967 by Senator Ralph Yarborough naturally spurred much research into the concepts of bilingual education.⁴ Immediately after the introduction

¹Las Voces Nuevas del Sudoeste, pp. 10-11.

²NEA, Invisible Minority, pp. 16 and 34.

³NEA, Las Voces Nuevas del Sudoeste, pp. 14-15.

⁴Congressional Record, Vol. 113, No. 5.

of S. 428 by Senator Yarborough, the Colorado General Assembly, through its Commission on Spanish-surnamed Citizens, issued a comprehensive report on the status of its Spanish-surnamed citizens.¹ This Colorado Commission was created by the Colorado General Assembly to study the current problems, conditions, and needs of the Spanish-surnamed residents of the state. It did this by evaluating how education, health, housing, income, and poverty affected the target population in the state. The report did not offer a solution but raised the questions to which, hopefully, S. 428 would address itself.

The report stated that "they [Spanish-surnamed youth] are at a special disadvantage in terms of communicative skills."² It further charged that "the Colorado General Assembly encourage curriculum change by providing funds to match efforts of local school districts in implementing curriculum experimentation and new program."³ The issuance of this report by the Colorado Commission on Spanish-surnamed Citizens was the first of many reports to

¹State of Colorado, Colorado General Assembly, The Status of Spanish-surnamed Citizens in Colorado, Report to Colorado General Assembly by the Colorado Commission on Spanish-surnamed Citizens, (Denver: January, 1967).

²Ibid., p. xv.

³Status of Spanish-surnamed Citizens, p. xv.

be issued throughout the country, resulting from conferences and Congressional hearings relating to bilingual education.¹

The following nine points clearly indicate that effective teaching of Spanish-speaking children would require some drastic change in the educational system. These points contain the essence of information extracted from conference reports and Congressional hearing testimonies on bilingual education:

1. The mother tongue (Spanish) should be used as a bridge to learning achievement. This seemed to be the consensus of most of the speakers, writers, and politicians. The underlying assumption was that if the child came to school with Spanish only as a form of verbal expression, then the school must take him from where he was coming. The child could not be expected to learn both new concepts and a new language (English) at the same time. Another aspect of accepting his mother tongue was that

¹See Bibliography for the reports issued for this particular year, 1967.

the child would then be unable to feel rejected himself because he was different.¹

2. Spanish-speaking children should be tested in Spanish. This point was brought to the foreground by the simple fact that all the intelligence and aptitude tests for placement of children in schools were in English. The question most frequently raised was, "How can they score well if they don't know English?"²
3. Special training should be given to teachers of Mexican-American children. There were few Spanish-speaking teachers as a reserve pool capable of teaching Spanish-speaking children, and therefore other non-Spanish-speaking teachers would need special training.³
4. Legislative action was needed to establish special programs that addressed the needs of

¹NEA, Invisible Minority, p. 17, and Las Voces Nuevas del Sudoeste, p. 4; also California State Dept. of Education Nuevas Vistas, A Report of the First Annual Conference (Sacramento: Dept. of Education, 1968), pp. 19-21.

²First Texas Conference for the Mexican-American, Proceedings, Improving Educational Opportunities for the Mexican-American (San Antonio, Texas, 1967), p. 142.

³NEA, Las Voces Nuevas del Sudoeste, p. 12; The Invisible Minority, pp. 30-33; Improving Educational Opportunity, p. 142.

bilingual children. Much had been done to point out that ESEA was not reaching the Spanish-speaking population and that new legislation was the only way to meet the needs. This was demonstrated by the complete endorsement of S. 428 and similar bills in the House of Representatives, at the various conferences, and by other organizations at their own state or national meetings.¹

5. The primary grades were to be emphasized in the development of bilingual education. The rationale here was that although students in the more advanced grades were thought to be a "lost cause" by some, the best way to obtain positive results for very young children over the long range was to begin with instruction in the primary grades.² The idea that the advanced grade students were a "lost cause" was based on

¹Improving Educational Opportunities, p. 141; Nuevas Vistas, p. 34; Senate Hearings, resolutions of endorsement by the Southwest Council of Foreign Language Teachers, p. 634. U.S. Congress, Senate, Association of Mexican-American Educators, at their convention in May of 1967, passed a resolution endorsing S. 428 and HR 8000 (Roybal), p. 469. U.S. Congress, House, Endorsement by the League of United Latin American Citizens (LULAC) in June, 1967, p. 448.

²NEA, Invisible Minority, pp. 17-18; Improving Educational Opportunities, p. 141.

the fact, which was to be proven by the 1970 Census, that the older the Spanish-speaking individual, the lower was his grade level achievement.¹

6. Adult education was also to be part of any bilingual education program. The hope was that by linking the school and the parent more closely together, the child's opportunity for educational success could be enhanced. Spanish-speaking families, generally-speaking, were considered a close-knit unit, and it was considered important to include the parents in the educational process of the child.²
7. The community was to become a part of the schools, by incorporating practices such as the hiring of para-professionals. Mexican-Americans were very much in accord with the belief that they had been excluded from schools and the utilization of Mexican-American personnel in the schools

¹U.S. Bureau of the Census, Current Population Reports, Series P-20, No. 213, "Persons of Spanish Origin in the United States: November 1969" (U.S. Government Printing Office: Washington, D.C., 1971). This report points out that Mexican-descent individuals between the ages of 14 and 25 achieved the median school years of 11.7, while those Mexican-descent individuals between 25 and 35 achieved only 7.3 median years of school.

²NEA, Nuevas Vistas, pp. 16 and 31, and, Las Voces Nuevas del Sudoeste, pp. 4-6.

was considered one effective way to counter this perception.¹

8. Libraries were to have books in Spanish for the child.² One of the aspects of creating an environment for accepting the child in his school was whether there were books with which he could identify. Most libraries, especially in the Southwest, did not have any Spanish language books to which the Spanish-speaking youngster could relate, in spite of being the Southwestern part of the United States was settled primarily by his Spanish-speaking forefathers.
9. Research into curricula and materials development showed that these two areas were in vital need of re-evaluation in terms of their applicability to the Spanish-speaking child's education. It was felt that failure in the schools for the Spanish-speaking child could not be wholly

¹NEA, Nuevas Vistas, p. 31, and, Las Voces Nuevas del Sudoeste, pp. 7-8. In the investigator's own professional experience, he was able to experience that Mexican-American parents were very much interested in the education of their children. As an administrator of a Project Head Start, the investigator worked with parents who were involved in all three levels of the decision-making process, e.g., advisory committees, para-professionally employed, and involved as volunteers.

²NEA, Invisible Minority, p. 18, and Nuevas Vistas, pp. 19-21.

blamed on the child, since he had no control over curriculum development and usage. Much research was therefore needed in these two areas.¹

As a point of information and clarification, the investigation for the above section revealed that all nine points of the needs in bilingual education were articulated in the House and Senate hearings on bilingual education by the various witnesses. In reading the three volumes--totaling 1265 pages--of testimony, all of the above points were re-iterated time and time again. The factor that was mentioned most frequently was the use of the mother tongue (Spanish) as a medium-of-instruction. If this major factor was accepted, then it was argued that the other eight points were a logical series of concerns that were related to the implementation of a successful bilingual education program for Spanish-speaking children.

Identification of the Components and Program Objectives of the Bilingual Education Act

In the original Bilingual American Education Act (S. 428--Appendix B) which was introduced by Senator Ralph Yarborough on January 17, 1967, the declaration of

¹NEA, Nuevas Vistas, pp. 13-14, 24; Las Voces Nuevas del Sudoeste, pp. 3, 9; and Invisible Minority, p. 18.

policy was for the special educational needs of the Spanish-speaking children whose mother tongue was not English.¹ In its final form, the BEA changed its declaration of policy to "children of limited English-speaking ability."² This phrase meant children who came from environments where the dominant language was other than English. It also meant that the BEA was not only for Spanish-speaking, but for everyone with a non-English mother tongue.

The major objective, then, was to teach the child in his own dominant tongue if it was other than English. This was considered essential. The states were now going to have to change their education codes/laws to conform to the declaration of policy of the BEA. The changing of state education codes/laws was based primarily on the persuasive influence of local educational agencies (LEA) wanting to comply with the BEA's program guidelines. This would in turn allow the LEA's to receive monies.

Another objective of the BEA, not initially considered, was the economic factor. Since the BEA was to become, in its final version, an amendment to the ESEA,

¹U.S., Congress, Senate, A Bill to Amend the Elementary and Secondary Education Act of 1965, P.L. 89-10, 89th Cong., 1st Sess., 1965, S. 428, p. 2.

²Bilingual Education Act, P.L. 90-247.

then the children in bilingual education programs would have to meet the poverty standards set forth for ESEA participants.¹ This came about "because it was the most feasible way of getting it passed."² Also, since it was aimed at children from pre-school to grade twelve, it was in keeping with the ESEA format.

Although characteristics of bilingual education, as designated in the BEA, were relatively simple to identify, they were rather difficult to implement properly. Implementation was to be difficult due to the newness of the concept as an American educational methodology, which meant lack of curriculum materials, and inadequate teacher training techniques. The characteristics of bilingual education were the following:

1. The child's dominant language should be recognized as a first language and he should be taught one or more academic subjects in his non-English mother tongue.
2. English should be recognized and taught as a second language.
3. The history and culture of the child's language should be taught.

¹P.L. 89-10, "Uses of Federal Funds," states that "children from families (A) with incomes below \$3,000 per year, or (B) receiving payments under a program of aid to families with dependent children (AFDC)" were eligible to participate.

²Personal interview with Gene Godley in March, 1972, in Washington, D.C.

4. The home and school should have closer cooperation.¹
5. The parents of children participating in bilingual education programs should be part of an adult education program tied in with the child's program.²
6. Job training should be done in a bilingual manner in accredited trade, vocational, and technical schools.³
7. Drop-out prevention was a key element of the bilingual education program, since Mexican-Americans or Spanish-speaking had one of the lowest grade average achievements in the Southwest.⁴

Although the above characteristics (items 1 to 7) were identified, due to the newness of bilingual education for Spanish-speaking students, the American system of education was not entirely ready to accept the general idea of bilingual education.⁵

¹Items 1-4 were consistent with the original BEA by Senator Yarborough and the final version.

²U.S., Congress, Senate, Bilingual Education, Hearings, Dr. Monroe C. Neff's testimony pleaded for the inclusion of adult education in S. 428's final version, pp. 142-146.

³Ibid., Labor representatives pushed the importance of the issue of job training. See the testimony of Paul Montemayor, United Steel Workers of America, pp. 237-240.

⁴Mexican-American Study Project, Education and Income of the Mexican-American. Items 5 to 7 were all added as the result of testimony at the hearings or positions initially overlooked.

⁵Dr. Harold Howe's testimony was a good barometer of what the educational establishment thought of bilingual education. See pp. 20-45 of the Senate Hearings for the detailed testimony of Dr. Howe.

The funding policy of bilingual education programs was such that local educational agencies (LEA's) were funded directly and they could by-pass the state educational agencies. This funding policy was unique because all of the ESEA programs were tacitly or specifically directed by state-wide plans or needs.

The by-passing of state educational agencies allowed the LEA to develop a bilingual education program that could be creative in meeting the unique educational needs of its particular Spanish-speaking student population. Also, parent involvement would be an effective form of checks-and-balances, as the LEA designed, developed and implemented its bilingual education program.

The types of programs to be funded were the following:

1. Research projects
2. Pilot or demonstration projects
3. Preservice and inservice training of professional and para-professional instructional staff
4. Development of special instruction materials
5. Related adult education programs, particularly for parents of participating children

In order to meet some of the concerns of the witnesses at the Senate and House hearings and conferees of the various conferences in the Southwest, several of the on-going public laws were amended, aside from the ESEA. These concerns regarded teacher training and research.

The National Defense Education Act (NDEA) of 1965, Title XI and the Higher Education Act of 1965, Title V, were amended to include the training or re-training of teachers "who are engaged in or preparing to engage in special educational programs for bilingual students."¹ or are in the process of making "a career of teaching children of limited English-speaking ability."²

The other concern was for research and the Cooperative Research Act was amended to include Title VI of ESEA³ by authorizing the funding to universities and colleges and other public or private agencies, institutions, and organizations in order to assist them in providing training in research in bilingual education.

The final component of the BEA at the national level was the establishment of an Advisory Committee on the Education of Bilingual Children. This Committee was to consist of nine members with four of them non-English mother tongue speakers.⁴ This idea of an advisory committee was consistent with the original bill when the final version was finally enacted.

¹Public Law 85-864, Title XI, Part I, Section 1101, (5).

²Public Law 89-329, Title V, Part C, Section 512.

³Public Law 89-10, Section 2, (b) (1).

⁴See Appendix J, S. 428, Section 707(a) and Public Law 90-247, Section 707(a).

The BEA was amended on April 30, 1970. Three areas were affected. They were as follows:

1. Authorization and Distribution of Funds
Section 703(a) delineated the amounts of money authorized during the first three years of the BEA. In fiscal year, 1968 (FY '68), \$15,000,000 was authorized, FY '69 \$30,000,000 was authorized, and FY '70 \$40,000,000 was authorized. These first three years were all part of the original enactment. In 1970, the authorization was amended to include FY '71 (\$89,000,000), FY '72 (\$100,000,000), and FY '73 (\$135,000,000).¹
2. The BEA was amended to apply to Indians on reservations. Sections 706, 707, and 708, were redesignated, and a new section to speak directly to bilingual education for Indians was inserted.²
3. The Advisory Committee was expanded from nine to fifteen members with seven of them, instead of four, being native speakers of a language other than English.³

¹Public Law 91-23, Section 151, amended April 13, 1970.

²Public Law 91-230, Section 152 (a) (b) redesignated and amended April 13, 1970.

³Public Law 91-230, Sections 152 (a), 153, 401 (h).

The above three amendments indicate that bilingual education was not a passing fad, and that it gained acceptability in its first two years. The increase of total money authorized from 75 million dollars for the first three years to 315 million for the next three years was ample proof of its acceptability; also the notion of including the American Indian, which should have been done initially, seemed to cover all the native inhabitants within the United States who spoke a non-English mother tongue and who were culturally different from any European culture.

No implication is intended that other Spanish-origin groups, such as Puerto Ricans or Cuban Americans, were not included in the BEA's effort. The investigator chose to high-light the efforts of Mexican-Americans because of their initiatory thrust through political activity to insure that the BEA was enacted and funded.

An Overview of Bilingual Education Literature for Spanish-speaking Children After the Passage of the Bilingual Education Act

The Bilingual Education Act was signed into law by President Lyndon Johnson on January 2, 1968, with the words:

Thousands of children of Latin descent, young Indians, and others will get a better start--a better chance--in school...What

this law means, is that we are now giving every child in America a better chance to touch his outermost limits--to reach the farthest edges of his talents and his dreams. We have begun a campaign to unlock the full potential of every boy and girl--regardless of his race or his religion or his father's income.¹

With the above event, two major reactions seem to have occurred. The first major reaction was the great number of writings on the effects on a child when his language, culture, and/or heritage is deplored, ignored, or otherwise degraded by the school and society in general. This was not entirely new but the major difference was that many of the writings were to be done by ethnics themselves.

Dr. Uvaldo Polomares is a good example of these emerging ethnic writers. He published one of the first articles on the educationally relevant strengths of the Mexican-American student.² He was later to become the key person on the testing of Mexican-American children in Spanish in California schools. This research project was to provide the basis for the Covarrubia v. San Diego Unified

¹U.S., Congress, Senate, Committee on Labor and Public Welfare. Committee Print, ESEA Amendments of 1967, with Background Materials and Tables (Washington, D.C.: Government Printing Office, March, 1968), p. 41.

²Uvaldo H. Palomares and Emery J. Cummins, Assessment of Rural Mexican-American Pupils Pre-school and Grades One Through Twelve--Wasco and San Ysidro, California, a research report prepared for the Mexican-American Research Project California State Department of Education (Sacramento: Department of Education, 1968).

School District Case. The decision handed down by the court was that all I.Q. testing of Spanish-speaking children in California schools was to be suspended until further research had been conducted into the development of tests for these students.¹

Mr. Armando Rodriguez, of the U.S.O.E., was another major supporter and writer on bilingual education at this time. In his role as an internal advocate in the U.S.O.E. for an awareness of the educational needs of Spanish-speaking Americans, he travelled widely and published on this theme.²

Writing in The Saturday Review³ and The Center Magazine,⁴ Dr. Philip D. Ortego describes the background of the Mexican-American in this country and how the educational system and the social system as a whole has neglected him, thereby dooming him to failure. Dr. Ortego writes of Mexican-American children not being viewed by the educational system as being different, yet being treated

¹Covarrubias v. San Diego Unified School District, 70-394-T, Ca.

²Armando M. Rodriguez, "Speak Up Chicano: Fight for Educational Equality," American Education, IV, May, 1968, pp. 25-27. Mr. Rodriguez was one of the keynote speakers at the Texas Conference on Educational Opportunities for Mexican-Americans, in Austin, Texas.

³Philip D. Ortego, "School for Mexican-American: Between Two Cultures," Saturday Review, April 17, 1971, pp. 62.

⁴Philip D. Ortego, "Montezuma's Children," The Center Magazine, November-December, 1970, p. 23.

differently. This is borne out, according to Dr. Ortego, by the educational statistics on Mexican-Americans.

"Their drop-out rate is more than two times the national average...and in California alone Mexican-Americans account for more than 40 per cent of the so-called mentally retarded."¹

These were but a few of the individuals who were able to articulate, in written form, the results of denying a Spanish-speaking child his language and culture.

In addition to ethnic writers, a second and equally important result of the BEA was that there was an increasing demand that ethnic professionals occupy a major role in the development and operation of bilingual education programs. This point was documented by the appointment of Dr. Albar Peña as Director of Bilingual Education Programs (Title VII, ESEA) in the U. S. Office of Education in mid-1968.² Although Mr. Rodriguez' appointment in 1967 as the first Mexican-American in an administrative position within the U.S.O.E. was significant,³ Dr. Peña's appointment was a breakthrough in another way. Dr. Peña was to be

¹Philip D. Ortego, "School for Mexican-Americans," p. 63.

²Dr. Albar Peña, personal interview in Washington, D.C., March, 1972.

³Mr. Rodriguez was officially appointed in March, 1967. The author of this paper has been associated with him--personally and professionally--since 1965 in California, being involved in founding the ethnically-oriented California Association of Mexican-American Educators, Inc.

the director of a program basically oriented towards the Spanish-speaking, while he himself was also a Spanish-speaking Mexican-American.

Another result of the BEA was that some of the more prominent academicians who studied bilingualism, linguistics, or foreign language instruction were now writing on bilingual education as a methodology. Donald D. Walsh, in the Foreign Language Annals, wrote on the validity of using the language of the home and preservation of the culture as a base for curriculum development in bilingual education. He went further in stating that:

...the products of bilingual education prove to be brighter, more tolerant, and more perceptive about their culture than are otherwise comparable monolingual children.¹

Nelson Brooks, professor of French at Yale, also wrote in the same issue as Walsh that:

...the best place for development of bilingualism is the home, with the next best place the classroom.²

The impact of the BEA can best be seen by the reader in the number of writings which had as their central theme

¹Donald D. Walsh, "Bilingualism and Bilingual Education," Foreign Language Annals, II, No. 3, March, 1969, pp. 298-303.

²Nelson Brooks, "The Meaning of Bilingualism Today," Foreign Language Annals, II, No. 3, March, 1969, pp. 304-9.

the linguistically or culturally different child interspersed with the concept of bilingual education.¹

Historical Overview of Major Events Leading to the Passage of the Bilingual Education Act

To further illustrate the impact the major events, such as conferences and Congressional hearings, had on bilingual education literature after the passage of the BEA, the investigator felt it constructive to identify these events. The major events identified for this study were those that were held during the period from October, 1966 to January, 1968, that had as their theme or focus the notion of bilingual education for Spanish-speaking children. Most of the material or information for the study came from personal interviews with the major participants, conference reports, and articles published about these events.

Tucson, Arizona - October 30-31, 1966.
 Symposium: "The Spanish-speaking Child
 in the Schools of the Southwest."
 Third National NEA-PR & R Conference on
 Civil and Human Rights in Education.

This initial conference was the direct result of Mr. Monroe Sweetland's efforts to highlight and implement the NEA-Tucson Survey Team Report. The Conference was attended by 500 educators from throughout the country,

¹See Bibliography comparing 1966 publications with publications in the following years.

including the majority of the participants in this study.¹ The inclusion of state and national politicians was considered essential by the NEA-Tucson Survey Team Report, since the Team sought legislative changes in the teaching of the Spanish-speaking child.²

A second action that resulted from the Tucson Conference was the NEA's determination to sponsor similar conferences in the other four Southwestern states.³

The Tucson Conference was viewed by all the major participants for this study as the turning point in the efforts by many Mexican-American educators to see that the regional problem of equal educational opportunity for Mexican-Americans was escalated to a national level.⁴ Further promotion of these ideas could best be dealt with, according to the recommendations from the Tucson Conference, in the form of specific national legislation.⁵

¹NEA, The Invisible Minority...Pero No Vencibles, p. 18.

²NEA, Las Voces Nuevas del Sudoeste, pp. 10-11.

³Of all the people interviewed for the study, only Father Casso and Mr. Godley were not in attendance at this particular event. The House of Representatives was represented by Congressman Udall, whose name is not included on the list of major participants, since his administrative assistant, Mr. Robert Reveles, carried most, if not all of the responsibility to develop Mr. Udall's position on bilingual education. Mr. Reveles was in attendance at the Conference and is considered as a part of the study population.

⁴In interviews with all the major participants, they all agreed that the Tucson, Arizona Conference was the key to the development and promotion of the BEA.

⁵NEA, Las Voces Nuevas del Sudoeste, pp. 1 and 15.

Fresno-Bakersfield, California - April 1 and 15, 1967. "The Spanish-speaking Child in the Schools of the Southwest--What Are We Doing Now? What Can Be Done?" Two conferences simultaneously sponsored by NEA-Relations Committee-Central Section California Teachers Association.

These two events, which were held simultaneously on the same day in different cities using the same format, were the direct results of the recommendation made at the Tucson, Arizona Conference, that NEA was to co-sponsor following-up meetings. The main speakers were Miss Maria Urquides, Mr. Adalberto Guerrero, and Mr. Edward Moreno, with Mr. Monroe Sweetland coordinating the Conferences.¹

The basic thrust of the two-city Conference was to attempt to articulate the educational needs of Mexican-American students and to present the various alternatives on reaching and teaching them. The conceptual model was based on a bilingual education foundation with implementation to be done only after the teachers had been re-trained to teach the Mexican-American child.

The Conferences were actually planned and structured in the same manner and offered the same program with very little variation. Fresno State College offered college credit for those attending. Only 150 participants had been expected, yet close to 500 people attended.

¹Biographical data on these people can be found in Chapter III, as part of the study population.

San Antonio, Texas - April 13-14, 1967.
"Texas Conference for the Mexican-American: Improving Educational Opportunity." Sponsored by the Southwest Educational Development Laboratory, the Texas Education Agency, and the Inter-American Educational Center.

At the Tucson Conference, the Texas group charged State Senator Joe Bernal, Dr. Jose A. Cardenas, and Mr. Nick Garza (all of San Antonio) to design and organize the follow-up conference in Texas.¹ Approximately 500 conferees were to attend the San Antonio Conference. From the planning committee of this Texas Conference, there was to emerge a dominant figure in the years to come, Father Henry J. Casso. Father Casso's role at this particular Conference was to crystalize and appraise all the recommendations and resolutions of the Conference.² Later he was to be appointed to various national advisory committees.³ What made this particular conference unique, however, was the outstanding number of pioneers in the area of Mexican-American affairs who participated, men such as Dr. Herschel T. Manuel, Dr. Julian Samora, and Dr. Theodore Andersson.

¹NEA, Las Voces Nuevas del Sudoeste, p. 10.

²Improving Educational Opportunity, pp. 139-145.

³Infra, Chapter III, see Biographical Background.

Politically speaking, this conference posed some interesting dilemmas for the conferees and Senator Yarborough. Dr. Nolan Estes, Associate Commissioner for Elementary and Secondary Education and a Texan himself, took the position that the BEA was not needed because of the various pieces of legislation which already had been enacted. He said that he could not "describe to you the hundreds of different kinds of projects that are being created by Title I (ESEA)...Spanish language classes, Mexican cultural activities...all over the state."¹ He went on to say that, "Title V of ESEA...is providing workshops, teacher exchange, language services and other programs of direct interest to Spanish-speaking students of the Southwest."² Dr. Estes finished by promising that "there will be some new Title III (ESEA) projects in the near future which will be of direct benefit to Mexican-Americans of Texas and other States of the Southwest."³ Unfortunately, Dr. Estes' attitude was to be the "official" position of the U.S. Office of Education during the hearings on S. 428 later that same year.⁴

¹Improving Educational Opportunities, p. 13.

²Ibid.

³Improving Educational Opportunity, p. 16.

⁴Supra., Commissioner Howe's testimony was very similar to Dr. Estes' speech.

It became apparent at this Texas Conference that another non-supporter of the BEA (S. 428) and the program was Henry B. Gonzalez from San Antonio, the senior Mexican-American Congressman in the House of Representatives, himself a political foe of Senator Yarborough and an ally of Lyndon Johnson. Representative Gonzalez opposed the motion of bilingual education for Mexican-Americans (a term he disliked),¹ and he refused to support the BEA when the hearings were held in Washington, D.C. on May 18-19, 1967.²

Interestingly, John B. Connally, a political ally of Lyndon Johnson and Governor of Texas (at the time), stated during the Conference that, "I am committed to the proposition that we must create here a bilingual society."³ Yet a subsequent statement by Governor Connally revealed that he believed this goal would best be accomplished by "full utilization of all the funds that had been made available by the Federal Government through educational and economic opportunity acts..."⁴ This latter position

¹Texas Conference, p. 114.

²Senate, Hearings, p. 600. When the record of the hearings was printed, consideration was given as to how far from the end of the Hearing Record his testimony was to be placed and as to the size of the print. His testimony, in small print, is on pages 599 to 602 of the 680-page document. Basically, what is being alluded to here is that those individuals who were supportive of S. 428 were allowed to testify first and to have their remarks and comments printed in a most advantageous place in the printed record.

³Texas Conference, p. 105.

⁴Improving Educational Opportunity, pp. 109-110.

was in keeping with Nolan Estes' point of view. The former statement appeared to be a "spur of the moment" politically prudent comment inspired by the more than 500 Mexican-American people attending the Conference. Governor Connally's actual position was represented by his latter statement which was in agreement with Lyndon Johnson.¹

Los Angeles, California - April 13-15,
1967. "Nuevas Vistas." The First
Annual Conference. Sponsored by the
California State Department of Education.

The Tucson, Arizona Conference called for the various state education associations, in conjunction with the NEA, to sponsor follow-up conferences, however, the Los Angeles Conference, "Nuevas Vistas," was developed, coordinated, and sponsored solely by the California State Department of Education.² The theme of the Conference was not one of bilingual-bicultural education, but the use of the ESL approach to teaching Spanish-speaking children. Herschel T. Manuel stated the theme and approach when he said:

¹In an interview with Father Henry J. Casso, at Amherst, Massachusetts, March, 1972, it was learned that Connally's prepared remarks submitted in advance did not include the above supportive statement.

²The investigator should point out that the California Conference was held during the time when the Superintendent of Public School Instruction, Max Rafferty, was running for public office. Mexican-Americans represented a large percentage of the electorate in the State, and much work was needed to cultivate their support.

The real challenge is to develop situations and materials that will effectively carry the child forward in his mastery of the language English that we wish him to learn.¹

This particular conference patterned itself, as did most conferences, by passing a resolution in support of legislation introduced by Congressman Edward Roybal (Democrat, California) and Senator Yarborough. The resolution viewed the child with knowledge of another language as "handicapped...and in need of immediate and aggressive remedial action to help overcome this handicap."²

Pueblo, Colorado - October 13-14, 1967.
 "Strategy for Emphasis Today and Tomorrow."
 Sponsored by State Office of Economic
 Opportunity, Colorado Education Association
 and the NEA.

This state-wide conference was the last to be the result of the Tucson, Arizona meeting recommending the NEA co-sponsor follow-up conferences.³ Its theme was based on the needs expressed in the report of the Colorado Commission on Spanish-surnamed Citizens. One of the major areas of concern raised by the Commission Report was education.⁴ The Conference addressed itself to OEO education programs, ESEA-financed programs, and state leadership in

¹California State Dept. of Education, Proceedings, Nuevas Vistas (Los Angeles, 1967), p. 4.

²Ibid., p. 34.

³NEA, Las Voces Nuevas del Sudoeste, p. 11.

⁴Colorado General Assembly, Commission on Spanish-surnamed Citizens, The Status of Spanish-surnamed Citizens in Colorado (Denver, 1967).

education. Dr. Braulio Alonso, Miss Maria Urquides, Mr. Monroe Sweetland, and Dr. Bruce Gaarder emphasized a bilingual approach to solving their educational needs.

All of these conferences were to provide the external special interest group pressure for the enactment of the BEA by Congress. These conferences were also the rallying point for many other activities which were to prove just as important as the enactment of the BEA. Essentially, the conferences provided the following positive results:

1. Many Mexican-Americans were able to politicize themselves in relationship to education and other social concerns.
2. Local and state Mexican-American organizations were able to form coalitions with each other as well as with similar organizations in other states.
3. The "Mexican-American problem" was raised from a state to a regional and finally to a national concern because of the BEA.

Additionally, providing the external pressure for the BEA's enactment, the conferences laid the ground work for many of the witnesses at the Congressional hearings. The Senate and House hearings heard from basically the same organizational representatives and individuals who participated

in the conferences. Much of the rationale, either for or against the BEA at the hearings, was the same espoused at the conferences.

Prior to analyzing the Congressional Hearings that took place prior to the passage of the BEA, it is felt that some background information is essential concerning the structure, organization, aftermath and influence of the hearings, and committee membership. Also included in this brief background will be the roles of the executive branch of the federal government and special interest groups.

Legislative Branch

According to recognized authorities, seniority plays a role in how the special subcommittee or vested-interest committee is to be structured.¹ In the Senate, Senator Ralph Yarborough was chairman of the Special Subcommittee on Bilingual Education because of his authorship of the bill (Senate Bill 428) as well as his seniority on the larger over-all Committee on Labor and Public Welfare.² As chairman, Senator Yarborough was

¹J. Leiper Freeman, The Political Process: Executive Bureau - Legislative Committee Relations (New York: Random House, 1955), p. 46. Dr. Freeman discusses the various reasons for committee structure. He suggests that seniority is the dominant factor. This was re-inforced in the investigator's interview with Gene Godley in Washington, D.C., March, 1972.

²The Committee on Labor and Public Welfare is responsible for nearly all domestic social legislation including education.

able to name his own staff. Mr. Gene E. Godley, Mr. Robert Harris, and Mr. Alan Mandel served as Senator Yarborough's appointees. Mr. Roy Millenson, representing the minority political party, Republican, was appointed by Mr. Jacob Javits, from New York.

Dr. J. Leiper Freeman, a professor at Vanderbilt University, talks of the relative importance that committee staff members have on final enactment of legislation, and this is borne out by the example given on page 69 of this document regarding the treatment of the testimony given by Congressman Henry B. Gonzalez:

They (committee staff members) do much of the real work of the committees, a great deal of which may be quite remote from public scrutiny. They usually determine the agenda of the committee hearings and screen the information which comes into committee records with considerable finality. They draft committee reports and recommendations, and by the subtle processes of inclusion and exclusion can structure the alternatives upon which final committee votes are taken.¹

Another aspect of the subcommittee staff members' responsibility was selection of the number and locations of hearings outside Washington, D.C. Selection of cities where hearings were to be held was dependent upon the sponsors of the bill and their ranking on the overall subcommittee. Also to be considered was where the greatest

¹Freeman, op. cit., p. 112.

political impact could be achieved. The locations selected, aside from Washington, D.C., were Texas, California, and New York. Washington was to be the scene for two days of hearings, with Texas having three days, and California and New York, one day each.

A final step necessary for the BEA to be enacted was the formation of the joint conference committee. Joint conference committees are formed on an ad hoc basis when differences have to be adjusted between the Senate and House on bills passed by each, only in different forms.¹ The result of these joint conference committees is usually a compromise bill.

Executive Branch

The executive branch, and the U.S. Office of Education in particular, were better organized and equipped to maintain a common front than was the Congress, although this front could hide considerable divergence of opinion within the administration. Associate Commissioner Nolan Estes' remarks in the San Antonio Conference attest to the former observation, while Dr. Bruce Gaarder's testimony at the May 18, 1967, Senate hearings support the latter point.²

¹Freeman, op. cit., pp. 51-52. Dr. Freeman presents a good analysis of the functions of joint committees.

²U.S., Congress, Senate, Bilingual Education, Hearings, pp. 46-51.

Thus, the U.S.O.E., which was not supportive of the BEA, lobbied against it by testifying that the job could be done by existing legislation. Yet one of its staff people, Dr. Gaarder, at the Senate hearings on May 18, 1967, supported the notion of bilingual education.

Interest Groups

The conferences served to provide the "interest group element" to this legislative process. Congress tended to allow independent groups and individuals to define the technological fine points of the legislation. For example, Dr. Monroe C. Neff, who represented the National Association for Public School Adult Education, expressed his concern for adult education, a concern which was subsequently included in the final version of the BEA.¹

Senate Congressional Hearings, Washington, D.C.

With the aforementioned in mind, Senator Yarborough opened the Senate hearings before the Special Subcommittee on Bilingual Education of the Committee on Labor and Public Welfare (S. 428) on Thursday, May 18, 1967, in Washington, D.C. Present were Senator Jennings Randolph, Senator George Murphy, and Senator Paul J. Fannin.²

¹Senate, Hearings, p. 146. Senator Yarborough turned to the staff after Dr. Neff testified, and said, "I instruct the staff to study this with a view to giving adult education more visibility in this bill."

²See Tables 1, 2, and 3 for attendance records of sponsors, committee members, and staff at hearings.

The first witness before the subcommittee was the Commissioner of Education, Dr. Harold Howe, II. Dr. Howe's testimony was important from the standpoint of articulating the position of the U.S. Office of Education on this bill, and its eventual programs. Commissioner Howe's remarks gave the impression that S. 428 was not needed because of the number of programs already funded by Titles I and II of ESEA. He stated:

In view of the fact that our present legislation does provide authority for supporting bilingual programs, careful consideration must be given to the need for additional legislation.¹

Senator Yarborough was to articulate the position of the U.S. Office of Education on the following day, when he said:

You saw some reservations of the Office of Education here on this bill. An attempt I thought to tacitly say we are not against it, but cut it to pieces, just to be blunt about it.²

After Commissioner Howe's testimony, the remainder of the witnesses were all very positive about the bill. The most significant testimony was that of Dr. Bruce Gaarder, the Chief of the Modern Language section of the

¹Senate, Hearings, p. 32.

²Ibid., p. 132.

TABLE 1

SPONSORS OF S. 428

-- ATTENDANCE RECORD --

		WASH., D.C.		CORPUS CHRISTI	ED'BURG	SAN ANTONIO	L.A.	N.Y.C.	
	STATE	5-18	5-19	5-26	5-29	5-31	6-24	7-21	TOTAL
Yarborough	TEX.	X	X	X	X	X	X	X	7
Williams	N.J.								0
R. F. Kennedy	N.Y.		X					X	2
Kuchel	CAL.								0
Montoya	N.M.								0
Javits	N.Y.							X	1
Tower	TEX.								0
Murphy *	CAL.	X	X				X		3
No. of Senators in									
Attendance / Day		2	3	1	1	1	2	3	

*Murphy requested and received permission to become a co-sponsor on the second day of hearings.

TABLE 3

STAFF OF THE SPECIAL SUBCOMMITTEE ON BILINGUAL EDUCATION

COMMITTEE OF LABOR AND PUBLIC WELFARE

U. S. SENATE

-- ATTENDANCE RECORD --

	WASH, D.C.		CORPUS CHRISTI	ED' BURG	SAN ANTONIO	L.A.	N.Y.C.	
	5-18	5-19	5-26	5-29	5-31	6-24	7-21	TOTAL
GENE E. GODLEY (Counsel to Subcommittee)	X	X	X	X	X	X	X	7
ROBERT O. HARRIS (Counsel)	X	X	X	X	X	X	X	7
ALAN MANDEL (Professional Staff Member)	X	X	X	X	X	X	X	7
ROY MILLENSON (Minority Clerk)	X	X			X	X	X	5
No. of Staff in								
Attendance / Day	4	4	3	3	4	4	4	

U.S.O.E., who followed Commissioner Howe at the witness table. In his testimony, Dr. Gaarder supported the notion "that comprehensive programs of bilingual education ...be supported."¹ He also emphasized the need to use the mother tongue or the language of the home as the medium-of-instruction until the child could become proficient in English.

Several observations could be made from the first day's testimony:

1. The U.S. Office of Education was basically against the bill.
2. No Mexican-Americans were invited to testify, although they did most of the pressuring for the bill.
3. Two Puerto Ricans were witnesses for the bill.
4. Senator Fannin wanted and received tacit approval that Indian languages would be given consideration in program development and funding if the bill passed.

The following day saw the NEA dominate the witness table, with five of the seven witnesses representing various units within NEA. Dr. William Carr, the Executive

¹Ibid., p. 55.

Secretary, Mr. Sweetland, Dr. Monroe C. Neff, and Mr. Adalberto Guerrero were the key witnesses on the second day of the hearings. This second day produced one significant influence for improving the bill. The suggestion was made for inclusion of an adult education component in the development of bilingual education programs. This was proposed by Dr. Neff, as mentioned above.

Senate Congressional Hearings, Texas, California and New York City

The next series of hearings were to take place in Texas, the subcommittee chairman's home state. Selected cities were Corpus Christi, Edinburg, and San Antonio. Here testimony was to be provided by local educational agency people, higher education personnel, and community service groups.

Two incidents which are of particular relevance can best indicate the opposition to the bill and the power of an elected official over a private citizen who depends upon public funding. Both of these incidents are interrelated.

The first was the on-going feud between President Lyndon Johnson and Senator Ralph Yarborough. The Johnson ally was, of course, Henry B. Gonzalez, who was to oppose the bill by not even appearing before the committee in San Antonio, his home congressional district. His contention

of having to fulfill his primary duty by being in Washington was a weak excuse. Part of the reason for his not wanting to participate was an interest in shifting the blame for the hearings to the local organizing committee. In interviewing two key people,¹ the investigator was able to ascertain that indeed Gonzalez was not consulted as to arrangements for the hearings in San Antonio until the last minute. The local organizing committees were responsible for making sure that Johnson people were not involved unless absolutely necessary, and then they were screened, having their prepared statements submitted in advance to the staff of the Select Subcommittee.²

The second incident related to the opposition of the bill had a slightly different twist. As mentioned above, the prepared statements were submitted in advance to the Select Subcommittee staff, and one of these was the late Dr. Edwin Hindsman's prepared statement. Dr. Hindsman was to testify against the bill originally, but the staff appraised Senator Yarborough of the tone of his statement. Senator Yarborough, not wanting to have any

¹Interview with Gene Godley, February 25, 1972 and Henry J. Casso, March 2, 1972.

²Godley interview. Mr. Godley was Staff Director of the Select Subcommittee.

significant opposition, called Hindsman from a telephone booth in Edinburg. Yarborough closed the telephone booth door and proceeded to "read the riot act" to Hindsman.¹

The San Antonio hearings brought out several interesting facts. They were:

1. Regional laboratories (such as the one of which Hindsman was the director) were to be eligible to participate under this law.
2. Senator Yarborough articulated that Cubans were originally excluded from the intended target population, but this was to be corrected by applying the law to all Spanish-speaking.²

The hearings in Los Angeles, California, produced several questions that were to influence the funding of programs in the future. The first, and most significant, was why the bill was for Spanish-speaking only. Senator Yarborough answered this by saying:

First of all, because the Spanish-speaking people are the largest of any ethnic group here in the United States; secondly,

¹Ibid., Dr. Hindsman was the Director of the Southwest Educational Development Laboratory in Austin and his funding came from the U.S.O.E. In reading Hindsman's testimony (Senate Hearings, p. 383), one cannot help but notice the overwhelming endorsement it gives the bill.

²Senate, Hearings, p. 390.

we placed in the record a long list of all the languages spoken in America. We feared if we put them all in the bill that the bill would be so fragmented that there would be millions of people without the aid of this bill.¹

Congressman Edward Roybal, who was the first witness in Los Angeles, outlined a multi-lingual approach to the interpretation of the bill. He stated that:

...the benefits of bilingual education would also be snared by American youngsters from a wide variety of other family linguistic and cultural background; French, Oriental, American Indian, Eskimo, Portuguese, Greek, Italian, Polish, Hungarian, and many more.²

Congressman Roybal's position was to eventually emerge as the House of Representative's posture regarding bilingual education.³

New York City concluded the series of hearings on S. 428 with some dramatic observations made. They were:

1. The size of the advisory committee to help in the development of the bill's guidelines should consist of nine members, four of which would be of "non-English-speaking ethnic or nationality background..."⁴

¹Senate, Hearings, p. 420.

²Ibid., p. 412.

³U.S., Congress, House, Committee on Education and Labor, Bilingual Education Programs, Hearings, before the General Subcommittee on Education, House of Representatives, H.R. 9840 and H.R. 10224, 90th Cong., 1st Sess., 1967.

⁴Senate, Hearings, p. 504.

2. The eligibility of the children was to be tied with the poverty standards of ESEA.¹
3. The amount of money to be authorized should be increased.²

Congressional Hearings, House of Representatives, Washington, D.C.

The subcommittee holding hearings on the House BEA version was the same subcommittee that dealt with all educational matters before the House Committee on Education and Labor. This subcommittee was chaired by Representative Roman Pucinski from Illinois, the senior Democrat on the subcommittee. Representatives James Scheuer and Augustus Hawkins were next in line in terms of seniority, therefore their bills (H.R. 9840 and H.R. 10224, respectively) were the bases for the hearings.

Representatives Scheuer and Hawkins' versions of Senate Bill 428 were more in keeping with a multi-lingual approach. This latter approach was not specifically for Spanish-speaking as was S. 428, but for all non-English mother tongue speakers.³

¹Ibid., p. 506.

²Ibid., p. 512.

³A comparison of S. 428 with H.R. 9840 and H.R. 10224, especially section 702, will show the basic differences. See Appendix C. Also see Tables 4 and 5 for attendance records of committee and staff members.

TABLE 4
GENERAL SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON EDUCATION AND LABOR OF THE
U.S. HOUSE OF REPRESENTATIVES

H. R. 9840 (Scheuer) and H. R. 10224 (Hawkins)

NAMES OF CONGRESSMEN	STATE	DATES OF HEARINGS		ATTENDANCE
		6-28-67	6-29-67	Total
Roman C. Pucinski (Chrm.)	ILL.	X	X	2
James H. Scheuer	N.Y.	X	X	2
Augustus F. Hawkins	CAL.	X	X	2
William D. Hathaway	ME.	X		1
Albert H. Quie	MINN.		X	1
Alphonso Bell	CAL.		X	1
John Dellenbeck	ORE.	X		1
John H. Dent	PA.		X	1
Number of Congressmen				
in Attendance Per Day		5	6	

TABLE 5

STAFF OF THE GENERAL SUBCOMMITTEE ON EDUCATION
RESPONSIBLE FOR THE HEARINGS ON BILINGUAL EDUCATION
U.S. HOUSE OF REPRESENTATIVES

-- ATTENDANCE RECORD --

	STAFF POSITION ON	DATES OF HEARING		
	COMMITTEE	6-28-67	6-29-67	Total
CHARLES RADCLIFFE	Minority Counsel	X	X	2
CHARLES N. EISCHEN	Staff Assistant	X	X	2
MATTIE MAYNARD	Clerk	X	X	2
No. of Staff in				
Attendance per day		3	3	

The afore-mentioned events were the major public episodes that provided the impetus for Congress to take action on the notion of bilingual education as it applied to the Spanish-speaking child.

Legislative History

The investigator feels that an in-depth but concise legislative history is warranted at this time. The legislative history is intended to show the acceptance of an idea by Congress and the swiftness in its becoming law.

October 30-31, 1966

Senator Yarborough attended the Tucson, Arizona Conference. He returned to Washington, D.C. and instructed his staff to begin drafting legislation to be introduced in the next session of Congress, based upon the recommendations of the Conference. Alan Mandel, Gene Godley, Monroe Sweetland, Lupe Anguiano, and Armando Rodriguez drafted S. 428, The Bilingual Education Act.¹

January 17, 1967

Senator Yarborough introduced the Bilingual American Education Act, S. 428 (Supported by

¹Personal interviews with Miss Lupe Anguiano in March, 1972, and Mr. Joseph Pollard, Legislative Consultant for the Los Angeles County Board of Supervisors in April, 1972, both in Washington, D.C.

Mr. Yarborough, Mr. Javits, Mr. Kennedy of New York, Mr. Kuchel, Mr. Montoya, Mr. Tower, and Mr. Williams of New Jersey).

Between February and June, 1967

House members introduced a total of 35 similar bills on bilingual education. Representatives Scheuer and Hawkins' bills were used as the basis for the House hearings, due to their seniority on the Committee on Education and Labor. Rep. Pucinski was the Chairman of the General Subcommittee on Education, therefore the chairmanship accrued to him for the bilingual education hearings.

May 18-19, 1967

Senate hearings on S. 428 began in Washington, D.C. Senator Murphy requested and received permission to become a co-sponsor after the first day of testimony.

May 26, 1967

Senate hearings on S. 428 continued in Corpus Christi, Texas.

May 29, 1967

Senate hearings on S. 428 moved to Edinburg, Texas.

May 31, 1967

Senate hearings on S. 428 went on to San Antonio, Texas.

June 24, 1967

Senate hearings on S. 428 were due to start in Los Angeles, California on the 22nd and 23rd and were finally held on the 24th.

June 28-29, 1967

House hearings on Rep. Scheuer and Hawkins' version of the bilingual education bill in the Senate were held in Washington, D.C. These were the only two days in which the House was to hold hearings on bilingual education.

July 21, 1967

Senate hearings on S. 428 had their last day of testimony in New York City.

August 8, 1967

S. 428 was reported out of the Special Subcommittee on Bilingual Education to the full Committee on Labor and Public Welfare of the Senate.

September 25, 1967

Mr. Scheuer¹ introduced H.R. 13103--The Bilingual Education Act. This was the compromise bill of nearly all the Representatives who had introduced their versions of the Bilingual Education Act.

¹See Appendix D for other names of co-sponsors plus the bill itself.

October 25, 1967

H.R. 13103 was reported to the Education and Labor Committee by the General Subcommittee on Education. The full Committee voted to report the bill out of the Committee on Education and Labor on November 1.

November 1, 1967

The House Labor and Public Welfare Committee, by a 20-5 vote, ordered reported out of committee H.R. 13103. The bill authorized \$10 million for fiscal year 1968, \$20 million for fiscal year 1969, and \$30 million for fiscal year 1970.

November 2, 1967

S. 428 was adopted as an amendment to H.R. 7819 (Amendments for the Elementary and Secondary Education Act of 1965) by the Senate Labor and Public Welfare Committee, therefore H.R. 13103 was never taken up on the House floor.

November 6, 1967

Wayne Morse reported H.R. 7819 out of the Senate's Labor and Public Welfare Committee, including authorizations for bilingual education of \$15 million for fiscal year 1968, \$30 million for fiscal year 1969, \$40 million for fiscal year 1970 and \$40 million for fiscal year 1971.

There was a minority view by six Republican Committee members who said that bilingual education programs could be carried out through existing legislation, i.e., ESEA Title III. (Both the House and Senate passed ESEA amendments so unlike it seemed that ESEA would not be amended during the first session.)

December 11, 1967

H.R. 7819 went into conference committee with House and Senate members appointed immediately.

December 15, 1967

H.R. 7819 was reported out of conference committee. The House adopted the Conference Committee Report by a 283-73 roll-call vote, and adjourned until the next session. The Senate adopted the Conference Committee Report by a 63-3 roll-call vote, and it too adjourned until the next session.

January 2, 1968

President Johnson signed H.R. 7819 at the White House.

Summary

The overview presented in this chapter has shown that much of the research in bilingual education remains to be done. Reports on actual pilot projects, studying the effectiveness of theories and methodologies, are few.

The early research into bilingualism and acculturation is only a beginning: transferring the sociological and psychological findings of this research into sound bilingual education programs requires an extensive effort on the part of the educational community. The problems of curriculum design, community involvement, teacher training, securing funding--in short, the practical measures that insure bilingual education actually reaches the non-English-speaking child--are just beginning to be resolved.

The BEA, as shown in this Chapter, moved from a need of the non-English-speaking minority to a national program in a relatively short time under the pressure of a relatively small group of educators and legislators. The process has been documented so that educators can understand how to utilize the bill as it was perceived by its fathers. But this effective utilization depends upon research and action on a large scale. That is the only way educators will eliminate bilingual education problems in the future.

C H A P T E R I I I

METHODS AND PROCEDURES

Introduction

As noted in Chapter I, one of the major purposes of this study is to conduct an investigation to determine the perceptions of the major participants who were involved in the development of the Bilingual Education Act (BEA), its subsequent implementation by the United States Office of Education (U.S.O.E.), and its current support by the Congress. The focus of the perceptual investigation is to determine the extent to which the BEA met the expectations of the study population after its initial development and implementation on a nation-wide scale.

It is the intent of this Chapter to describe those methods and procedures used in the development and administration of a survey which was designed to gather the appropriate information to fulfill this stated goal.

In order to accomplish the above purpose, Chapter III has been organized into the following five sections:

- (1) Identification and Selection of the Study Population;
- (2) Instrumentation; (3) Content; (4) Distribution and Return of Questionnaire; and (5) Treatment of the Data.

Selection of the Study Population

A thorough search of the literature for the purpose of identifying the appropriate study population revealed that a large number of people were involved in the many stages of the passage of the BEA. A distinction was necessary, therefore, in order to determine the various roles played by the individuals and/or the organizations they represented in the passage of the BEA. An individual's continued involvement in promoting bilingual education at the local, state, and national levels was considered an essential criteria for selection. The investigator defined "in promoting bilingual education on the local, state, or national levels" as any one of the following or combinations thereof: (1) Directing a bilingual education program at any one of the three levels (elementary, secondary, or college); (2) Selected for membership on a state or national advisory committee on bilingual education or education for the advancement of Spanish-speaking children; (3) Professionally involved with the influencing or development of legislation--especially as it relates to educational legislation; or (4) Serving as a consultant to the U.S. Department of Health, Education and Welfare or as a proposal reader of Title VII, ESEA programs to the U.S. Office of Education.

As Acting Director of the Office for Spanish-surnamed Americans (OSSA) in the Department of Health, Educa-

tion and Welfare (HEW), one of the investigator's professional responsibilities was to develop a list of people and organizations in the areas of health, education, and social services. This list was comprised of individuals who could provide advice and expertise on policy and program matters to the Secretary of HEW, as they related to the needs of Spanish-surnamed Americans. It is from this list that the twenty-two individuals were selected for this study.

Additionally, the investigator had the advantage, as Acting Director of OSSA, of being aware of those Congressmen who were sympathetic to Spanish-surnamed American concerns.

In the interest of comprehensiveness and meaningful sampling of the identified study population, the selection of the respondents was structured in such a way that a broad range of expertise was included. Representatives from the university community, government and professional organizations were identified. No attempt was made to base selection of respondents upon criteria of age, sex, geographical distribution or levels of educational attainment. Final selection was determined primarily, therefore, on the basis of the participant's continued leadership in the area of education for the Spanish-speaking child.

There follows a summary of the twenty-two individuals selected for the study and the positions which each of these participants held during October, 1966 to January, 1968.¹

Dr. Braulio Alonso - Public School Administrator, Tampa, Florida, and President of NEA (1967-1968). As the first Spanish-origin person to be elected President of NEA, Dr. Alonso was very much involved in the directing of the organization's efforts for the enactment and funding of the BEA. During the year of his Presidency, one of Dr. Alonso's primary concerns was bilingual education. It was the investigator's privilege to represent Dr. Alonso at several conferences promoting the Bilingual Education Act during the term of his office.²

¹The investigator, prior to being employed at HEW, was associated with the National Education Association. Some of the information provided here regarding the respondents is due to his access and involvement with them and with NEA's efforts to insure that the BEA was enacted and properly financed. The access and involvement were due in large part to the investigator's professional responsibilities and also to his being the first Mexican-American to work for NEA.

²The investigator represented Dr. Alonso at the Emergency Convocation, "Spanish-Speaking Children and Youths in the Schools of the Southwest," held in El Paso, Texas on May 12-13, 1968. On May 14-15, 1968, the investigator again represented Dr. Alonso in New York City at the First National Conference of Puerto Ricans, Mexican-Americans, and Educators, sponsored by ASPIRA. This second conference dealt with BEA funding and how the BEA applied to the Puerto Rican Community and its educational needs.

Dr. Theodore Andersson - Professor of Romance Languages, University of Texas. Dr. Andersson was a pioneer in speaking out in favor of bilingual education for the Spanish-speaking child in Texas. His early support through his writings provided the much needed academic legitimacy for future programs. Dr. Andersson served as keynote speaker at a number of major events dealing with the promotion of the Bilingual Education Act, and a very positive witness for the BEA's enactment at the Senate hearings. He was one of the original members of the Advisory Committee on the Education of the Bilingual Child (Title VII, ESEA) at the U.S. Office of Education. Most recently, Dr. Andersson has finished a most exhaustive research on the status of bilingual schooling in America.¹

Miss Lupe Anguiano - War on Poverty Project Administrator, Los Angeles, California, and staff member Mexican-American Affairs Unit within the U.S.O.E. Miss Anguiano was one of two women identified and selected for the purposes of this

¹Theodore Andersson and Mildred Boyer, Bilingual Schooling in the United States, Vols. I-II (Southwest Educational Development Laboratory: Austin, Texas, January, 1970).

study, primarily as a result of her efforts as one of the original drafters of Senate Bill 428 (S. 428) which Senator Yarborough was to introduce on January 17, 1968. Late in 1967, Miss Anguiano was employed by the U.S. Office of Education to develop an awareness of and advocacy for the educational needs of Mexican-American children within the U.S.O.E. In addition, Miss Anguiano was instrumental in the development of the Title VII, ESEA guidelines. After she left the U.S.O.E., she continued to serve as a consultant to OSSA staff on bilingual education matters.

Hon. Joe Bernal - State Senator, Democrat, Texas. Senator Bernal was the only state legislator to become involved at the beginning of the movement for the enactment of the Bilingual Education Act. He spearheaded the Texas effort to promote bilingual education after the Tucson, Arizona Conference in October, 1966,¹ and spent the next two and one-half years lobbying for support within the Texas State legislature for a change in the

¹Proceedings of the First Texas Conference for the Mexican-American, Preface and p. 1.

education code which would allow the medium-of-instruction to be other than English.¹

Dr. Jose A. Cardenas - Chairman, Department of Education, St. Mary's University, San Antonio, Texas, and Director, Mexican-American Education, Southwest Educational Development Laboratory, Austin, Texas. Dr. Cardenas attended the Conference to promote bilingual education in Tucson, Arizona, in 1966, and returned to San Antonio with Senator Bernal to begin organizing the state-wide effort to promote bilingual education. As a staff member at the Regional Laboratory, he developed and researched some of the more innovative bilingual education programs in the country. Dr. Cardenas frequently served as a consultant to OSSA on all bilingual education matters. He left the Regional Laboratory upon his appointment to the Superintendency of an urban school district in San Antonio in 1969, which had a 93% Mexican-American student enrollment, where he subsequently implemented some of the programs he had researched and developed.

Father Henry J. Casso - Vicar of Urban Affairs, San Antonio, Texas. Father Casso was to provide a

¹The results of Senator Bernal's efforts can be found in Texas State Education Code, Section 4.17, which was passed into law in 1969.

form of spiritual leadership with which the Spanish-speaking community of Texas could identify. Father Casso expanded his involvement from Texas to the Southwest, and ultimately to a nation-wide basis. He was appointed to several state and national advisory committees and was frequently a consultant to OSSA. In 1969-71, Father Casso served on the California and Texas State Advisory Committees on Civil Rights dealing with Mexican-American educational discrimination, and on the National Advisory Committees on Trainers of Teacher Trainers, with an emphasis on the training of teachers to teach Spanish-speaking children, and on the education of Mexican-American students. Both of these national advisory committees were formed to advise the Commissioner of Education, U.S.O.E.

Dr. A. Bruce Gaarder - Director, Modern Languages Section, U.S.O.E. Dr. Gaarder's outspoken support of the major events leading to the passage of the BEA made him an important ally within the U.S. Office of Education, especially during the time when other key personnel within the U.S.O.E. were not supportive of S. 428. Dr. Gaarder had a prominent role in the drafting of the guidelines for Title VII, ESEA.

Mr. Gene E. Godley - Counsel to the Special Subcommittee on Bilingual Education, United States Senate. Mr. Godley was appointed by Senator Ralph Yarborough to spearhead the subcommittee's staff efforts. As one of the original group involved in the drafting of S. 428, Mr. Godley attended all of the subcommittee hearings and was a guiding force in the final drafting of the bill.

Mr. Adalberto Guerrero - Professor of Romance Languages, University of Arizona, and State Director of NEA. Professor Guerrero was one of the two individuals (Miss Urquides being the other) to head up the NEA-Tuscon Survey Team and the follow-up conference held in Tucson in October, 1966. He spoke at nearly all of the major events promoting the BEA. Mr. Guerrero was also appointed to various national advisory committees on the education of Spanish-speaking children and/or bilingual education. These appointments included membership on the first Advisory Committee on the Education of the Bilingual Child. He was considered a key individual to consult on bilingual education by OSSA.

Mr. Robert Harris - Counsel, Special Subcommittee on Bilingual Education, United States Senate. Mr. Harris was one of the first staff people Senator

Yarborough charged to draft S. 428. Mr. Harris attended all the hearings¹ and worked at getting the BEA through the Senate.

Hon. Augustus Hawkins - U.S. House of Representatives, Democrat, California. Because of his senior rank on the House Committee on Education and Labor, Representative Hawkins was to provide the leadership within the General Subcommittee on Education. His Congressional district in the Los Angeles area bordered part of Congressman Roybal's and included a substantial number of Mexican-Americans as part of his constituency. Representative Hawkins has continued his interest in bilingual education by voting for greater appropriations for Title VII, ESEA, each year.²

Mr. Roy Millenson - Minority Clerk, Special Subcommittee on Bilingual Education, United States Senate. Mr. Millenson represented the minority side of the political make-up of the Special Subcommittee. He attended five of the seven hearings

¹See Chapter II, Table 3.

²In a telephone interview with Representative Hawkins' assistant, Miss Maynard, in March, 1972, she related that the Congressman had maintained his interest in bilingual education by voting for increases in appropriations each year.

and participated in the early negotiations concerned with the intent of the BEA.¹ He was also involved in the fight within the Congress to fund the BEA in a meaningful way in the spring of 1968.

Mr. Edward V. Moreno - Foreign Language Consultant, Ventura, California. After the enactment of the BEA, Mr. Moreno became the Bilingual Education Program Director for all of the Los Angeles City Schools. As State President of the California Association of Mexican-American Educators, Inc., he lobbied for the promotion and enactment of bilingual education. Mr. Moreno was also appointed to several national and state advisory committees having to do with bilingual education or the education of Spanish-speaking children, specifically to the National Advisory Committee on Bilingual Education and to the same type of State advisory committee. Mr. Moreno also provided consultant services to OSSA during 1969-1970.

Dr. Albar Peña - Assistant Professor of Education, University of Texas. Dr. Peña's involvement with

¹Supra., Chapter II, Table 3.

the Bilingual Education Act was based on his interest and participation at the various events prior to its passage. This interest stemmed from his research into the educational needs of Spanish-speaking children, which was the basis for his doctoral dissertation. He was selected to be the Program Director for Bilingual Education for the U.S. Office of Education in 1968, a position he currently holds.

Hon. Roman C. Pucinski - U.S. House of Representatives, Democrat, Illinois. Representative Pucinski was, and still is, the chairman for the General Subcommittee on Education of the House of Representatives. He chaired the House hearings on bilingual education and fought for the appropriations of funds for the newly-passed Title VII, ESEA, which his colleagues were to vote down. As part of his role as chairman of the House hearings, Representative Pucinski was sought by various learned societies as a keynote speaker. In these addresses, Representative Pucinski frequently urged interested groups to lobby in their own fashion for support of the BEA.¹

¹One such address was the speech entitled The Federal Investment in Bilingual Education, delivered by Rep. Pucinski at the Third Annual TESOL Convention, in Chicago in April, 1969. NEA was to invite him to speak before their Annual Convention in 1971 in Detroit.

Mr. Robert Reveles - Administrative Assistant, Congressman Morris Udall, Democrat, Arizona. Mr. Udall's district included Tucson and he, through Mr. Reveles' urging,¹ became very much involved in the passage of the BEA. Mr. Reveles provided input in another fashion by being the only Mexican-American congressional staff member at the time, thereby providing leadership within staff sessions. He has continued to lobby from his position for better funding from Congress.

Mr. Armando Rodriguez - Director, Inter-group Relations, California State Department of Education, and Chief, Mexican-American Affairs Unit, U.S.O.E. Mr. Rodriguez was the first Mexican-American appointed to a major administrative position in the U.S. Office of Education. He was extremely involved in advocating the passage of the BEA on Capitol Hill and throughout the Southwest by attending and speaking at nearly all of the identified major events.² Mr. Rodriguez is currently employed at the U.S.O.E. as Assistant Commissioner for Regional Office Coordination.

¹In personal interviews with Mr. Sweetland it was learned that Mr. Reveles' role on behalf of Representative Udall was encouraged by Mr. Udall himself.

²In personal interviews with Mr. Rodriguez and in researching the historical events of Chapter II the investigator ascertained the prominence of his role.

Hon. Edward Roybal - U.S. House of Representatives, Democrat, California. Representative Roybal was the only Mexican-American Congressman who worked for the BEA to be enacted and funded. He also provided the catalyst for the various Congressmen and Mexican-American organizations. He has continued to be the spokesman for better funding of bilingual education.

Hon. James Scheuer - U.S. House of Representatives, Democrat, New York. Representative Scheuer ranked second only to Pucinski in the General Subcommittee on Education in the House. His interest was based on the educational needs of his Puerto Rican constituency for bilingual education in the schools of New York City. When the BEA had difficulty in the House, Representative Scheuer developed a compromise bill (H.R. 13103) to insure that some bilingual education legislation was enacted (see Appendix D). He has continued his support of bilingual education in Congress.

Mr. Monroe Sweetland - Legislative Consultant, NEA. As a former state legislator in Oregon, with a major interest in education, Mr. Sweetland's job with NEA was to lobby for educational reform through legislative enactment. Recognizing the

needs of the Mexican-Americans in the Southwest, Mr. Sweetland developed the strategy for bringing bilingual education to the foreground at the state and national levels. The investigator was a colleague of Mr. Sweetland's at NEA and was able to observe that his activities during 1967 were focused on the passage of the BEA.

Miss Maria Urquides - Dean, Pueblo High School, Tucson, Arizona, and State Director, NEA. Miss Urquides was the chairman of the NEA-Tucson Survey Team, and a champion of bilingual education for Spanish-speaking students in Arizona and throughout the Southwest. As a former state director for NEA, she has continued to work through the NEA to promote bilingual education.

Hon. Ralph Yarborough - U.S. Senate, Democrat, Texas. Senator Yarborough was the author of Senate Bill 428. Without his political influence, due particularly to his seniority rank on the Senate Committee on Labor and Public Welfare, the BEA might never have been enacted. His version of the bilingual education bill was accepted in conference committee by both the House and Senate, after which Senator Yarborough led the fight for funding in Congress.

All of the above individuals were surveyed for the purposes of this document. In Figure 1 on the following page are the names and present positions of the individuals who were personally interviewed.

Instrumentation

Although the questionnaire included both closed and open-end questions, the majority of the questions were intended to elicit objective responses. The open-end questions were designed to allow the respondents to express the motivations behind their attitudes, interests, preferences, and perceptions. Open-ended questions such as the one illustrated below were kept to a minimum, however, since tabulation could be quite exhaustive, and they might detract from the over-all purpose of the questionnaire.

Rank the following eight organizations and groups from most influential (#1) to least influential (#8) in the promotion and influencing of the BEA. Also write in the name of the organization/group which best represents each category.

- _____ Professional education associations _____
- _____ Community or service groups _____
- _____ Local educational agencies/personnel _____
- _____ State educational agencies/personnel _____
- _____ Federal educational agencies/personnel _____
- _____ Higher education personnel _____
- _____ Members of Congress _____
- _____ Other (specify) _____

<u>Name</u>	<u>Present Position</u>
1. Alonso, Braulio	Executive Secretary, Center for International Relations, (NEA).
2. Anguiano, Lupe	Civil Rights Specialist, Office for Civil Rights, HEW.
3. Casso, Henry J.	Doctoral Student, School of Education, University of Massachusetts.
4. Gaarder, A. Bruce	Deputy Director, Division of College Programs, U.S. O.E.
5. Godley, Gene E.	General Counsel, Committee for District of Columbia, U.S. Senate.
6. Guerrero, Adalberto M.	Professor, Romance Lan- guages, University of Arizona.
7. Moreno, Edward V.	Principal, Los Angeles City School District.
8. Peña, Albar	Director, Bilingual Edu- cation Programs, U.S.O.E.
9. Reveles, Robert A.	Executive Secretary to Congressman Frank Thomp- son (D.-N.J.).
10. Rodriguez, Armando M.	Assistant Commissioner for Regional Office Coordination, U.S.O.E.
11. Sweetland, Monroe	Legislative Consultant, West Coast, NEA.
12. Urquides, Maria L.	Dean, Pueblo High School, Tucson, Arizona.

Figure 1. - A List of the Major Participants Who
Were Interviewed for the purposes of this study.

Provisions were also made for respondents to indicate on the questionnaire if they had no opinion or did not wish to respond to a given question. The example below demonstrates this point.

In order to adequately ascertain some perceptions, it is necessary to know as accurately as possible what factors you perceived as being important during the specified time period. Please respond as candidly and forthrightly as possible by circling the number that best describes your perceptions.

YES	NO	NO OPINION/ UNDECIDED	
(1)	(2)	(3)	8. Initially did you perceive the BEA as being:
1.....2.....3.....		a.	good for the child?
1.....2.....3.....		b.	helpful in drop-out prevention?
1.....2.....3.....		c.	equal educational opportunity?
1.....2.....3.....		d.	an upward mobility level?
1.....2.....3.....		e.	helpful to the child in maintaining his ethnicity?
1.....2.....3.....		f.	counter to the idea of the "melting pot philosophy?"
1.....2.....3.....		g.	a contribution to cultural pluralism?
1.....2.....3.....		h.	a disruptive or negative education experience?
1.....2.....3.....		i.	sound education?
1.....2.....3.....		j.	a total solution for the needs of limited English-speaking children?
1.....2.....3.....		k.	a challenge to English-as-a-second-language?
1.....2.....3.....		l.	politically motivated?
1.....2.....3.....		m.	good for international relations?

The general areas of investigation were based upon discussion with experts in the field of bilingual education and/or the legislative process.¹ The formulation and clustering of the items asked in the questionnaire were determined by results of the aforementioned discussions and by examination and analysis of the findings cited in Chapter II.

The response pattern based on the Likert Scale technique² was utilized so that the respondents could express definite favorableness or unfavorableness to a particular point of view. The following example, on the next page, illustrates how the investigator utilized this technique.

Instrument validation was a major concern of the investigator. In order to check the validity of the survey questionnaire, the investigator focused on the capability of the instrument to gather the data for which it was designed. The investigator consulted with Dr. Jimmie Fortune, a staff member in the Center for Educational

¹Mr. Robert Reveles and Mr. Monroe Sweetland were very helpful in the area of the legislative process as it related to the BEA. Dr. Albar Peña, Dr. Bruce Gaarder, and Mr. Edward Moreno provided the writer with insight into the many facets of the BEA, particularly to its implementation. From this basic group of people a series of questions were raised as to their relative importance to the purposes of this survey.

²John W. Best, Research in Education (Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1970), pp. 174-79.

Many ideas were being articulated as to what program components should be stressed in a bilingual education program for children of limited English-speaking background during the specified time period. This next area is designed to elicit from you some perceptions as to the components of those programs for the target population. The DIRECTIONS and STRESS SCALE for rating are enclosed in boxes.

DIRECTIONS: Please circle the number which best indicated the stress which you perceived to be of the most importance.

STRESS SCALE:

1. Never
2. Rarely
3. Sometimes
4. Fairly often
5. Frequently

7. Components of programs as you perceived them to be stressed in a bilingual education program during the period in which the BEA was being promoted into national legislation.

- | | | | | | |
|--|---|---|---|---|---|
| 1. Culture and heritage..... | 1 | 2 | 3 | 4 | 5 |
| 2. Parent involvement..... | 1 | 2 | 3 | 4 | 5 |
| 3. "Home-language" (Preservation & development)..... | 1 | 2 | 3 | 4 | 5 |
| 4. Language (Learning a new language)..... | 1 | 2 | 3 | 4 | 5 |
| 5. Cognitive development..... | 1 | 2 | 3 | 4 | 5 |
| 6. Affective development..... | 1 | 2 | 3 | 4 | 5 |
| 7. Drop-out prevention emphasis..... | 1 | 2 | 3 | 4 | 5 |
| 8. Adult education..... | 1 | 2 | 3 | 4 | 5 |
| 9. Early childhood education..... | 1 | 2 | 3 | 4 | 5 |
| 10. Vocational or technical education emphasis..... | 1 | 2 | 3 | 4 | 5 |

Research, University of Massachusetts, for professional guidance in establishing the validity of the instrument. To further establish the validity of the questionnaire and the content of the questions, the investigator re-searched similar studies.¹

Before the questionnaire was printed in final form, it was field-tested by administering it to a select number of the identified study population. The pre-test was conducted by mailing a questionnaire and a self-addressed return envelope to these participants. Telephone calls were made prior to the participant's receiving the questionnaire. This pre-test provided the investigator with an opportunity to correct deficiencies in wording, instructions and make over-all improvements in increasing the reliability of the questionnaire.²

¹Marshall Lee Frinks, Jr., "An Analytical Study of Teacher Certification Processes as Perceived by Personnel Within the Teacher Education and Certification Sections of the Fifty State Education Agencies with Special Emphasis on the Development of the Performance-Base Movement." (Unpublished Ed.D. dissertation, University of Massachusetts, 1971.) Also consulted were the following: Fred P. Barnes, Research for the Practitioner in Education (Department of Elementary School Principals, National Education Association: Washington, D.C., 1964) and Carter V. Good, Essentials of Educational Research--Methodology and Design (Appleton-Century-Crofts: New York, 1966).

²The investigator is indebted to the following people who assisted in the refinement of the questionnaire: Dr. Albar Peña, Mr. Monroe Sweetland, Mr. Robert Reveles, Mr. Adalberto Guerrero, and Mr. Edward Moreno.

Content of the Questionnaire

The questionnaire was developed into four sections consisting of questions designed to provide information about the following areas: (1) Biographical background based on professional training and experience; (2) The respondent's role in the identified major events; (3) The respondent's rationale for promoting the passage of the BEA based upon his perceptions and opinions; and (4) The respondent's reaction to the general concept of the BEA. A brief explanation follows on each of the above sections.

Section I of the questionnaire was organized into two parts. The first part was designed to establish the representativeness of individuals by collecting biographical data such as: (1) age; (2) sex; (3) years in present position; (4) level of professional preparation; (5) affiliation with professional organizations; and (6) previous professional involvement with education.

SECTION I will require your response to some questions based on your professional background. This will help the investigator in developing a profile of the individuals that became involved in bringing about educational reform in the area of Bilingual Education.

SECTION I -- BIOGRAPHICAL PROFILE

Name: _____

Respondent's Title: _____

Male: _____ Female: _____ Age: _____

Respondent's Business Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Area Code: _____

1. Years in present position. (Circle one)

- a. 0-1
- b. 1-5
- c. 5-10
- d. 10-20
- e. More than 20

2. Level of professional preparation. (Circle the most applicable letter)

- a. Bachelor's degree.
 - b. Bachelor's degree plus additional courses.
 - c. Master's degree.
 - d. Master's degree plus additional courses.
 - e. Doctorate.
 - f. Doctorate plus additional courses.
 - g. Other (specify) _____
- _____

The second part of section I dealt with questions of languages spoken at home.

7. a. What was the "home-language" when you were a child (ages 1-5)?

b. What other languages were spoken inter-changeably with your "home-language"?

Section II of the questionnaire provided information to the investigator relating to the role that the respondents played at the various identified events. The events identified were those which occurred from October 30-31, 1966, to January 2, 1968. These dates are used because the Tucson, Arizona Conference was generally acknowledged as the beginning point in the effort to bring about some educational reform as it applied to children of limited English-speaking background.

The respondent was given four choices from which to select his role category. The choices were:

1. Participant or attendee. This category was meant to distinguish active participants from spectators.
2. Speaker, panel member, workshop leader, etc. This item was designed to identify program participants.
3. Not in attendance. This was self-explanatory.

The following example illustrates the format used for this section.

<u>EVENTS</u>	Participant or Attendee	Speaker, Panel Member, Workshop Leader, etc.	Not in Atten- dance	Other (specify)
1. Tucson, Arizona- October 30-31, 1966 third Nat'l NEA-PR&P Conf. on Civil & Human Rights in Educ. Sympo- sium: "The Spanish - Speaking Child in the Schools of the Southwest."				
2. Fresno, Califor- nia - April 1, 1967 sponsored by NEA Relations Committee-Central Section/CTA. "The Spanish - Speaking Child in the Schools of Central Cali- fornia." What Are We Doing Now? What Can Be Done?				
3. Bakersfield, California - April 15, 1967 sponsored by NEA Relations Commi- ttee-Central Section/CTA. "The Spanish- Speaking Child in the Schools of Central Cali- fornia." What Are We Doing Now? What Can Be Done?				

4. Other (specify). For example, were they organizers, coordinators, etc.?

Section III of the questionnaire pertained to the perceptions and opinions as the respondents expressed them in their support of bilingual education and/or the BEA. The data collected in response to the questions was reported in four major categories:

1. Ethnicity and language for whom the BEA was intended. This series of questions was designed to elicit opinions and attitudes of the intent of the BEA's application. What ethnic groups had priority? What languages had greater preference? These questions were asked in several different ways to cross-check the respondents' answers.
2. The types of programs thought to be initially important for the success of the BEA and the grade level emphasized. This series of questions was meant to elicit the respondent's perceptions of the types of programs that would insure the best opportunity for the BEA to be successful. The second equally important issue that this series of questions raised was, "At which grade level does educational reform start, and what about the other grade levels?"

3. The components of bilingual education programs to be stressed. The questions in this section designed to get the respondent's answer to the basic issue, "What do we teach first in a bilingual education program? What do I (as a respondent) feel is more important to a child with a limited English-speaking background?"
4. The respondent's perceptions as to the influence of identified groups in bringing about needed change in this area of education. In other words, what groups or organizations were perceived by the respondent to be most effective in promoting the BEA?

The response to the items in this section provide significant data which the investigator will fully analyze in Chapter IV of this document.

Section IV represented the respondent's perceptions as to what has initially worked and not worked, and what needs to be done to make bilingual education have a greater impact on education. In other words, the BEA was passed in 1967-1968 and programs were first funded in fiscal year 1969. Could the respondent see or ascertain if any of his perceptions had actually been realized in the funding pattern set by the U.S.O.E. and the appropriation of funds by the U.S. Congress in the first two years?

Distribution and Return of Questionnaire

To guarantee the return of a high percentage of questionnaires, the distribution of the questionnaire was completed in the following four stages:

1. There was an initial telephone call to everyone being asked to participate. The telephone calls were completed by the second week in January, 1972.
2. The materials were air mailed immediately upon contacting the last respondent. The materials included the cover letter, the questionnaire with detailed instructions, and a stamped self-addressed envelope to be returned by February 7, 1972. A second copy of the questionnaire was included for the respondent's file.
3. The third stage, which was the follow-up activity after the initial deadline, was a second call to the respondents. Due to postal service problems, several of the participants had not received the questionnaire, and another mailing was necessary.
4. In an effort to gather a greater number of questionnaires from the respondents, the fourth plan was put into operation. The plan was to conduct final personal interviews with as many

of the respondents as possible in one day, in Washington, D.C. Appointments were made prior to arriving in Washington, to insure the most efficient use of the investigator's time. In most cases, an hour to an hour and one-half was set aside for each interview. The final activity focused upon those very busy respondents who could not spend time filling out the questionnaire. This activity involved talking with the respondent by telephone and having him answer the questions.¹

The agreed upon level of response was finally achieved when the percentage was attained and the geographical and organizational distribution reached those pre-determined levels of acceptability.² Then the information obtained through the questionnaire was processed and analyzed.

¹Dr. Alonso, Representative Roybal, and Representative Scheuer were of necessity included in this activity since each of these men was involved in an election campaign at the time. Senator Yarborough, a principal participant in the passage of the BEA was unable to respond in any way due to his involvement in running for re-election.

²In consultation with Dr. Arthur W. Eve, Chairman of the faculty advisory committee, levels of acceptable responses were predetermined to be 90% or a total of nineteen plus returns.

Treatment of Data

The most important aspect to recall in the treatment of the data was that the purpose of this study was (1) to ascertain factual information about the roles of the major actors and (2) their perceptions of the intent and implementation of the BEA. Therefore, this survey lent itself to being interpreted in measures of central tendency¹ based on the medium and mode responses to the questions.

The four sections of the questionnaire were tabulated by using two approaches. First, open-end questions were summarized in relation to the structured perceptual questions. This was done by categorizing the responses and then relating them to the responses of factual questions. The second approach was to manually tabulate those responses which lent themselves to such a method. This latter approach was very effective in parts of sections II, III, and IV which contained a major portion of closed-form type questions. The findings are analyzed in Chapter IV of this document utilizing both approaches to the compilation of the data.

In Chapter IV are tables containing the data obtained from the questionnaire. The responses have been

¹John W. Best, op. cit., pp. 225-231.

compiled into tables for the purpose of analyzing and reporting the data according to each section. In most cases, the open-end questions have been re-stated so that the respondent's perceptions can be elucidated more clearly and to assist in the categorizing of the statements.

The tables which are categorized or grouped according to the above are included in the Appendix as well as in Chapter IV. These categories and groupings of perceptions and facts analyzed are the bases for the reported findings in Chapter IV.

Research covering bilingual education for Spanish-speaking children is woefully lacking at this point. It is only through research into all of the aspects of bilingual education that meaningful programs and curricula are designed and evaluated. The perceptions and needs of the populations directly affected by bilingual education programs must be examined thoroughly not just in terms of statistics and norms and national averages, but also of local problems and resources. The perceptions and needs of the majority of people not affected by bilingual education must also be examined. It is this majority that almost without exception controls school boards and other policy-making bodies. It is fair to say that the Bilingual Education Act passed without attracting much attention from this majority. How, and for what reasons, will they react

when bilingual programs begin in their schools? Is there a need to cultivate wider acceptance of the concept of bilingual education, or will this cultivation be a fruitless attempt to expand fertile land into a desert? Bilingual education is just beginning. That is why this study is focussed upon the major actors in the passage of the Bilingual Education Act. The investigator intends to show how and for what reason the Act was shaped by and has met the expectations of the major actors. It is hoped that this document will provide the bases for further research in all of the questions concerning utilization of the Act.

C H A P T E R I V

FINDINGS

Introduction

The purpose of this study is to conduct an investigation into the perceptions of the major actors involved in the development of the Bilingual Education Act (BEA) regarding its passage and the subsequent implementation of the Act. Chapter IV will present an analysis and interpretation of the data that was gathered through the use of a survey questionnaire developed for this study, which was sent to the study population identified in Chapter III.

The analysis of the findings treats each section of the questionnaire as it appears organizationally within the instrument: (1) biographical and professional characteristics; (2) significant events leading to the passage of the BEA; (3) perceptions and opinions of the participants regarding the BEA prior to its enactment; and (4) perceptions and opinions of the participants regarding the first two years of the Act's implementation by the United States Office of Education (U.S.O.E.). Of the twenty-two individuals surveyed,

two¹ were unable to return the completed questionnaire because of professional conflict in time and effort.

Mathematical measures of central tendency (mode and median distribution) and descriptive narrative are the bases for the objective analysis of the tabulated responses. In some instances the investigator paraphrased and clustered like responses to the open-ended questions of the instrument for more efficient analysis and reporting. Tables have been included in the body of the Chapter when they have been deemed essential for interpretation and understanding by the reader. Where data seemed most appropriate to summarize, the tables representing the total numerical evaluation of the material were included in the Appendix.

Biographical and Professional Characteristics

The purpose of this section in the questionnaire was to develop a series of questions which could identify the background of the study population. The survey questions were developed by the investigator with the intent of

¹Ex-U.S. Senator Ralph Yarborough is running for election to the U.S. Senate and State Senator Joe Bernal is also in a very intense political struggle for re-election to the Texas State Senate.

ascertaining the age, professional training, professional organizational affiliation and non-English mother tongue languages spoken by the study population. These biographical characteristics were of importance to the study, since it was assumed by the investigator that individuals became involved in the BEA because of vested interest either professional or personal.

The following is a profile of the study population:

- He is between 39 and 52 years of age and predominately male.
- He has been in his present position for approximately 5-10 years.
- He has had professional training in either law or education with an emphasis on foreign languages.
- He belongs to state as well as various national professional organizations.
- His professional experience during the specific time period of this study was in education-related positions or legislative activities.
- He was raised in a non-English-speaking home.

Descriptive information about the study population was secured early in the questionnaire. Presently, most of the study population is employed in an administrative

capacity. The mode shows that 14, or 70 per cent, of the respondents are in this category while 4, or 20 per cent, are elected legislators. See Table 6.

The level of professional preparation and academic training of the group was quite impressive. Seventy per cent of the respondents had earned advanced degrees with the other 30 per cent having taken graduate course work. Fifty per cent of the group was academically trained in an education-related field, while 25 per cent of the respondents are lawyers by training. Tables 7 and 8 provide a breakdown of responses for the areas of professional preparation and academic training.

Another characteristic of the study population was that of job mobility. During October 1966 to January 1968, 75 per cent education-related jobs were reported, while 50 per cent legislative-related jobs were reported. Of the study population which was in education (55 per cent), 6 of them changed jobs during the specific time period, yet of the eight individuals in the legislative branch of the federal government, only two changed jobs more than once. Table 9 provides a review of these tasks.

Most of the respondents reported an affiliation with a professional organization during the specific time period, such as local affiliation (1), local-state (2), local-state-national (4), state-national (2), and national

TABLE 6

RESPONDENT'S IDENTIFICATION RECORD

Types of Positions			Age	N	%
Administrative	14		Under 35	1	5
Teaching	1		36-45	8	40
Consultant	1		46-55	5	25
Legislator	4		55 and above	6	30
			Sex	N	%
			Male	18	90
			Female	2	10

TABLE 7

LEVEL OF PROFESSIONAL PREPARATION

Levels	N	%
Bachelor's Degree	0	0
Bachelor's Degree Plus	6	30
Master's Degree	0	0
Master's Degree Plus	4	20
Doctorate	4	20
Doctorate Plus	1	5
Other (specify - law)	5	25

TABLE 8

AREA OF ACADEMIC TRAINING/SPECIALIZATION

Area	N	%
Education (Foreign Language) (Education Administration)	10 (5) (5)	50 (25) (25)
Law	5	25
Liberal Arts	1	5
Economics	1	5
Foreign Service	1	5
Journalism	1	5
No Response	1	5

TABLE 9

PROFESSIONAL POSITIONS HELD DURING
OCTOBER 1966 TO JANUARY 1968

Positions	N	%*
Education - Related	15	75
Legislative - Related	10	50
Miscellaneous	2	10

*Percentage totals more than 100 since 7 changed source of employment during time of survey.

only (4). Seven did not respond to the question and it is assumed that they did not belong to a professional organization. The respondents listed a total of 7 local, 15 state, and 31 national professional organizations. Tables 10 and 11 are interrelated, and are therefore reported together.

Sixty per cent of the respondents indicated that they were monolingual as children (ages 1-5). Spanish accounted for 55 per cent of those speaking only one language. Eight spoke only English. English was spoken interchangeably with another language by 45 per cent of the respondents as children. Tables 12 and 13 illustrate the totals numerically.

Significant Events Leading to the Passage of the BEA

Attendance at the identified events ranged from a low of three of the respondents (Bakersfield and Los Angeles Conferences) to a high of twelve (Washington, D.C. Senate and House Hearings). The investigator thought it best that the events be divided into three categories according to sponsorship. They were National Education Association-sponsored conferences; non-NEA-sponsored conferences; and Congressional hearings. NEA-sponsored events numbered 4 of the 15 events, with an average per event attendance of 6.2 of the respondents. Non-NEA-sponsored events were 3 in number, and they averaged 7.0 of the respondents per event. The Congressional hearings

TABLE 10

PROFESSIONAL ORGANIZATION AFFILIATION

Organization	N	%
Local Only	1	5
Local - State	2	10
Local - State - National	4	20
State Only	0	--
State - National	2	10
National Only	4	20
No Response	7	35

TABLE 11

TYPES OF PROFESSIONAL ORGANIZATION
AFFILIATIONS LISTED BY RESPONDENTS

Organization	N
Local	7
State	15
National	31
No Response	7

TABLE 12

LANGUAGES SPOKEN AT HOME AS A CHILD

Languages	N	%
Spanish	11	55
Swedish	1	5
English	8	40

TABLE 13

OTHER LANGUAGES SPOKEN
INTERCHANGEABLY AT
HOME AS A CHILD

Languages	N	%
English	9	45
German	1	5
Polish	1	5
None*	9	45

*One respondent spoke Spanish only - see Table 12.

were the most numerous (7), and the average attendance per hearing was 6.0. At the final event, which was the signing of the Bilingual Education Act by President Lyndon Johnson, only 3 respondents were present. This information is illustrated in Tables 14 and 15.

Perceptions and Opinions Regarding the BEA Prior to its Enactment

This section was designed to elicit from the study population what each individual thought of the BEA prior to its enactment in January, 1968. The series of questions which the investigator chose to include in the questionnaire dealt with grade levels, target population and languages, types of programs and why, plus a continuing investigation of which individuals and organizations the respondents felt were influential in the BEA's enactment.

Table 16 illustrates that the respondents intended the BEA to be primarily for elementary school levels, or early childhood primary education. The junior and senior high school levels were far below in the ranking of the respondents. Not a single ranking of third preference was given to the senior high school level. The one response in the "Other" category listed higher education as a fifty preference.

Since much of the activity for the enactment of the BEA had taken place in the southwestern part of the

TABLE 14

ATTENDANCE AT EVENTS ACCORDING TO SPONSORSHIP

Event	Number Reported In Attendance	%
National Education Association - Sponsored		
1	11	55
2	5	25
3	3	15
4	6	30
Average/Event	6.2	
Non-Nea-Sponsored		
1	9	45
2	3	15
3	9	45
Average/Event	7.0	
Congressional Hearings		
1	12	60
2	4	20
3	3	15
4	6	30
5	6	30
6	4	20
7	12	60
Average/Hearing	6.0	

TABLE 15

ATTENDANCE AT EVENTS

128

Event	Participant or Attendee		Speaker, Panel Member Workshop		Not in Attendance		No Response	
	N	%	N	%	N	%	N	%
Tucson, Arizona Conference	5	25	6	30	9	45	0	0
Fresno, California Conference	2	10	3	15	14	70	1	5
Bakersfield, California Conference	3	15	0	0	16	80	1	5
San Antonio, Texas Conference	2	10	7	35	10	50	1	5
Los Angeles, California Conference	2	10	1	5	14	70	2	10
Washington D.C. Senate Hearings	9	45	3	15	5	25	2	10
Corpus Christi, Texas Senate Hearings	3	15	1	5	12	60	4	20
Edinburgh, Texas Senate Hearings	3	15	0	0	12	60	5	25
San Antonio, Texas Senate Hearings	4	20	2	10	12	60	3	15
Los Angeles, California Senate Hearings	4	20	2	10	10	50	4	20
New York, New York Senate Hearings	4	20	0	0	11	55	5	25
Washington D.C. House Hearings	6	30	6	30	5	25	4	20
Pueblo, Colorado Conference	2	10	4	20	11	55	3	15

Table 15 continued

Event	Participant or Attendee		Speaker, Panel Member Workshop		Not in Attendance		No Response	
	N	%	N	%	N	%	N	%
El Paso, Texas Cabinet Committee Hearings	6	30	3	15	9	45	2	10
Washington D.C.- White House Signing of Bilingual Education Act	2	10	1	5	12	60	5	25

TABLE 16

GRADE LEVELS STUDY POPULATION
INTENDED THE BILINGUAL
EDUCATION ACT TO SERVE

Grade Level	Rank	Total Number Accumulated
1-6 (Elementary)	1	27
k-3 (Early Childhood/Primary)	2	31
7-8 (Intermediate/Jr. High)	3	42
9-12 (Senior High)	4	55
Other*		
No Response**		

Top preference (#1) to least preference (#4).

*One response

**Two responses

United States, it is interesting to note that the respondents designated that Mexican-Americans and their language (Spanish) should be top priority targets of the BEA. Generally, the ethnic groups which were identified as having priority correlated with the language priority. Mexican-Americans, Puerto Ricans, and other Spanish-origin groups were the top ranked ethnic groups. The same applied to the American Indian, French, and Asian American, and their respective languages. Although the questionnaire specified that the respondents identify other Spanish-origin groups, the only group so identified was the Cuban. Tables 17 and 18 provide the data regarding ethnic group and language priority.

In ascertaining what professional organizations and groups provided the leadership for the enactment of the BEA, the respondents were asked to list them where appropriate. Names of individuals were also listed in 4 of the 7 categories. The most influential group perceived by the study population was Members of Congress. The next most influential group was professional education associations, with a mean response of 2.0. The National Education Association was singled out as the most active educational organization for the enactment of the BEA. Although local educational agencies and personnel were to be the fiscal and programmatic beneficiaries of the BEA, they were considered as playing the least influential role. Tables 19 and 20 illustrate the

TABLE 17

ETHNIC GROUPS IDENTIFIED AND PERCEIVED
AS HAVING PRIORITY IN THE
BILINGUAL EDUCATION ACT

Ethnic Group	Rank	Mean Response
Mexican American	1	1.1
Puerto Rican	2	1.9
Other Spanish Origin Groups*	3	3.6
American Indian	4	3.9
French	5	4.6
Asian American (Chinese/Japanese)	6	5.2
Other(s)**	7	6.0
Poor Whites	8	6.6
Blacks	9	9.1

Top priority (#1) to low priority (#9).

*Cubans

**Other Spanish-speaking groups or non-English-speaking groups.

TABLE 18

LANGUAGES WHICH WERE PERCEIVED AS
HAVING PRIORITY IN THE
BILINGUAL EDUCATION ACT

Language	Rank	Mean Response
Spanish	1	1.0
Indian Dialects (Includes Eskimo)	2	2.7
French	3	3.1
Chinese (Cantonese)/ Japanese	4	3.6
Portuguese	5	4.1
Ghetoese/Black English	6	5.7

TABLE 19

ORGANIZATIONS AND GROUPS PERCEIVED
AS BEING MOST INFLUENTIAL
IN THE ENACTMENT OF THE
BILINGUAL EDUCATION ACT

Organization or Group	Rank	Mean Response
Members of Congress	1	1.7
Professional Education Associations	2	2.0
Community or Service Groups	3	3.5
Higher Education Personnel	4	4.2
State Educational Agencies/ Personnel	5	5.2*
Federal Educational Agencies/ Personnel	6	5.2*
Local Educational Agencies/ Personnel	7	5.4

Most influential (#1) to least influential (#8).

*Only one total point separated these two categories.

TABLE 20

PROFESSIONAL ORGANIZATIONS AND GROUPS NAMED AS
 PROVIDING LEADERSHIP IN THE ENACTMENT OF
 THE BILINGUAL EDUCATION ACT

Category	Organization, Group, or Individual
Professional Education Association	National Education Association
Community or Service Groups	California Association of Mexican-American Educators, Inc.
Local Educational Agencies/ Personnel	Los Angeles (California) City Schools
State Educational Agencies/ Personnel	Texas Education Agency (Dr. Severo Gomez)
Federal Educational Agencies/ Personnel	United States Office of Education (Dr. Bruce Gaarder)
Higher Education Personnel	Dr. Theodore Andersson
Members of Congress	United States Senate (Senator Ralph Yar- borough)

rankings and the names or lists of the organizations, groups, or individuals within the various categories.

In order to correlate several perceptions as to which individuals were most influential in the enactment of the BEA, the respondents were asked to name, in order of perceived preference, five people. Mentioned most frequently was Senator Ralph Yarborough (17 times or 85 per cent of the time). It was he who introduced the original bill in the Senate. United States Representatives Edward Roybal, James Scheuer, and Augustus Hawkins were also named. The only individual to be mentioned significantly, who was not an elected public official, was Mr. Monroe Sweetland, of the National Education Association. All five individuals were from areas which had a heavy concentration of Spanish-speaking people. Representatives Roybal and Hawkins represent adjacent Congressional districts in Los Angeles, California. Mr. Roybal and Mr. Hawkins were the only two significantly mentioned individuals who are racial minority members, Mexican-American and Negro, respectively. A total of 15 individuals were named by the respondents, none of them mentioned a significant number of times. Sixth on the list, as a point of information was Mr. Armando Rodriguez, of the U.S. Office of Education, who was mentioned 4 times. See Table 21.

TABLE 21

FIVE PEOPLE PERCEIVED AS BEING MOST
INFLUENCIAL IN THE ENACTMENT OF
THE BILINGUAL EDUCATION ACT

Name	Ranking	Number of Times Mentioned	%
Senator Ralph Yarborough (Democrat - Texas)	1	17	85
Representative Edward Roybal (Democrat - California)	2	8*	40
Mr. Monroe Sweetland (Legislative Con- sultant - National Education Association)	3	8	40
Representative James Scheuer (Democrat - New York)	4	7*	35
Representative Augustus Hawkins (Democrat - California)	5	7	35

*Although Mr. Roybal and Mr. Sweetland were mentioned the same number of times, Mr. Roybal received a higher rank from the respondents. The same is true for Mr. Scheuer and Mr. Hawkins.

The five individuals named correspond with the previous two Tables (19 and 20) as to the organizations and groups perceived by the respondents as being most influential in the enactment of the BEA.

Value judgments about the BEA generally expressed by the participants of the study were quite favorable. All of the following value judgments received 95 per cent to 100 per cent approval as to their value to bilingual education:

- good for the child
- helpful in dropout prevention
- equal educational opportunity
- helpful to the child in maintaining
his ethnicity
- a contribution to cultural pluralism
- sound education

Inconsistencies in replies were noted by the investigator. Most notably, the value judgment of bilingual education being counter to the "melting pot philosophy" was viewed by the study population as a 55 per cent - 45 per cent, yes - no situation. Yet the opposite side of the question was posed as to whether the concept of bilingual education was a contribution to cultural pluralism. Ninety-five per cent, or 19, of the respondents answered affirmatively. The reader might also note, in referring

to Table 22, that 2 respondents, while agreeing that the BEA was good for the child, also felt it to be a negative educational experience!

The value judgment that the Bilingual Education Act was politically motivated was just about equally divided among the respondents. Forty-five per cent answered yes, while 50 per cent answered no. Table 22 provides responses to the list of value judgments about the BEA.

While various value judgments motivated the participants of the study to become involved with the enactment of the BEA, their perceptions as to the types of programs that could contribute to the over-all success of bilingual education were also important. A list of the types of programs viewed as relevant to this success reveals that demonstration, or pilot, programs were ranked first by a considerable margin over the second ranked type of program, staff development by teacher-training institutions. The next three types of programs--research projects, materials development, and staff development by local educational agencies--were separated by a total of only 7 points. See Table 23.

PERCEIVED VALUE JUDGMENTS ABOUT THE
BILINGUAL EDUCATION ACT

Factors	I		II		III		IV	
	N	%	N	%	N	%	N	%
Good for the Child	20	100	0	-	0	-	0	-
Helpful in Dropout Prevention	20	100	0	-	0	-	0	-
Equal Educational Opportunity	20	100	0	-	0	-	0	-
An Upward Mobility Level	13	65	3	15	3	15	1	5
Helpful to the Child In Maintaining His Ethnicity	19	95	0	-	0	-	1	5
Counter to the "Melting Pot" Philosophy	11	55	9	45	0	-	0	-
A Contribution to Cultural Pluralism	19	95	1	5	0	-	0	-
A Disruptive or Negative Education Experience	2	10	18	90	0	-	0	-
Sound Education	19	95	0	-	0	-	1	5
A Total Solution for the Needs of Limited English-Speaking Children	2	10	17	85	1	5	1	5
A Challenge to English-As-A-Second-Language	6	30	12	60	2	10	0	-
Politically Motivated	9	45	10	50	1	5	0	-
Good for International Relations	13	65	6	30	1	5	0	-

(I) yes (II) no (III) no opinion/undecided (IV) no response

TABLE 23

TYPES OF PROGRAMS PERCEIVED AS BEING
 IMPORTANT TO THE SUCCESS OF THE
 OVER-ALL BILINGUAL
 EDUCATION EFFORT

Category	Rank	Total Number Accumulated
Demonstration/ Pilot Programs	1	35
Staff Development by Teacher-Training Institutions	2	52
Research Projects	3	62
Materials Development	4	68
Staff Development by Local Educational Agencies	5	69
Acquisition of Equipment	6	107

Perceptions and Opinions Regarding the First Two Years
of the BEA's Implementation

In order to ascertain what the participants of the survey perceived about their efforts in helping to get the BEA enacted, this section purported to have them answer a series of questions which would elicit their responses based upon what knowledge they had about bilingual education programs funded by the BEA. Of the 20 participants in this study, only 7 could be identified as being eligible, in one way or another, to be involved in a bilingual education program without a conflict-of-interest.¹ The remaining 13 were employed in either the executive or legislative branch of the federal government.

Of the group surveyed, 17 of the 20, or 85 per cent, responded to the question as to which grade levels they perceived the bilingual education programs having the greatest impact. The K-3 level was ranked first, with grades 1-6 a close second. The mode shows that K-3 received all 1 and 2 rankings. As far as the respondents were able to ascertain, little or no impact had been made on grades 7-12. Table 24 illustrates the rankings

¹The seven are Dr. Andersson, Dr. Cardenas, Rev. Casso, Professor Guerrero, Mr. Moreno, Mr. Sweetland, and Dr. Alonso. Of this group only 3 had actually been involved in a BEA program (Cardenas, Guerrero, Moreno).

TABLE 24

GRADE LEVELS ON WHICH THE BILINGUAL EDUCATION
ACT HAS MADE THE MOST IMPACT AS
PERCEIVED BY THE RESPONDENTS

Grade Level	Rank	Total Number Accumulated
k-3	1	24
1-6	2	28
7-8	3	52
9-12	4	63
Other*		
No Response**		

Most impact (#1) to least impact (#4).

*3 responded

**3 responded

and the total number accumulated. The "Other" category listed in Table 24 includes three responses, each different: teacher training, adult education, and correctional.

As reported by the survey group, the ethnic group which seemed to have benefited most was the Mexican-American, with 90 per cent. Puerto Ricans and American Indians were the next ethnic groups perceived as having benefited most from the BEA. The difference between each ranking was small over-all, but, in rank order reported, Puerto Ricans were higher in the listing. Table 25 reviews the response to this question.

Tabulation of the types of programs considered as currently contributing to the over-all success of bilingual education showed that pilot, or demonstration, programs seemed to be the choice of the respondents by a nearly 3 to 1 margin over the second choice. These pilot programs, numbering 76 the first year of the BEA, and 56 additional ones the second, were implemented in public schools throughout the United States. The mean response for the top rank type of program was 1.3, while the mean response for the second choice, teacher training/staff development, was 3.0. A very close third rank was curriculum development with mean response of 3.2. The figures for this category are reported in Table 26.

TABLE 25

THREE ETHNIC GROUPS WHICH HAVE BENEFITED
MOST FROM THE BILINGUAL EDUCATION ACT AS
PERCEIVED BY THE RESPONDENTS

Identified Ethnic Groups	Rank	N	%
Mexican-Americans	1	18	90
Puerto Ricans	2	12	60
American Indians	3	11	55
French	4	5	25

Group identified most often (#1) to least often (#4).

TABLE 26

TYPES OF PROGRAMS CONSIDERED AS CURRENTLY
CONTRIBUTING TO THE OVER-ALL SUCCESS
OF BILINGUAL EDUCATION (TITLE VII, ESEA)

Category	Rank	Mean Response
Pilot/Demonstration Programs	1	1.3
Teacher Training/Staff Development	2	3.0
Curriculum Development	3	3.2
Materials Development	4	4.0*
Research Projects	4	4.0*
Adult Education Programs	6	5.5

* Accumulated the same total but Materials Development received higher rank.

The Congress, in 1967, passed the Bilingual Education Act, but now the questions that need to be asked are "What is the level of interest in the present Congress?" and "Who is providing the leadership?" Senator Yarborough is no longer in the U.S. Senate, Representative James Scheuer is being re-apportioned in New York City due to the latest census, and the Bilingual Education subcommittees are no longer functional in either the House of Representatives or the Senate.

Of the 20 participants, 17 responded to the question requesting them to rank the top 3 national legislators in the U.S. House of Representatives or the U.S. Senate, regarding the present interest displayed by these legislators in bilingual education. Of the 15 individuals named, none of them received more than 45 per cent, or 9, responses. Congressman Edward Roybal was the top ranked member of Congress. He was closely followed by Senator Joseph Montoya of New Mexico, with 40 per cent, or 8 times listed. Senator Jacob Javits of New York and Representative Roman Pucinski of Illinois were the next two choices (Table 27). Of the four, 2 are Spanish-surnamed, 1 Jewish, and 1 Polish. Both Houses were equally represented with 2 Senators and 2 Representatives. Three are Democrats and one a Republican. Geographically, they represent the West Coast, the Southwest, the Midwest, and the East Coast.

TABLE 27

MEMBERS OF CONGRESS CURRENTLY IDENTIFIED
AS BEING MOST INTERESTED IN
BILINGUAL EDUCATION

Name	Ranking	Number of Times Men- tioned	%
Representative Edward Roybal (Democrat - California)	1	9	45
Senator Joseph Montoya (Democrat - New Mexico)	2	8	40
Senator Jacob Javits (Republican - New York)	3	5	25
Representative Roman Pucinski (Democrat - Illinois)	4	4	20

Concluding Remarks

The purpose of this Chapter was to report and interpret the data which were gathered in this study in an objective and straight-forward manner. No attempt was made to suggest any conclusions or implications of these findings. This latter task was left to the final Chapter. Chapter V will include a summary and discussion of the findings of the study.

C H A P T E R V

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Introduction

Prior to the enactment of the Bilingual Education Act (BEA) many activities preceded the thrust it took to have Congress act on it. It was the purpose of this study to gather the perceptual and factual information about those activities which related to the enactment of the BEA, and to interpret from the accumulation of these data the perceptions and facts which were to influence the development of the legislation and the implementation of the programs funded by the United States Office of Education (U.S.O.E.). The study, also sought to look beyond the existing legislation and programs currently being funded by U.S.O.E.

Summary

A general profile of the study population reveals that most are predominately male and come from a varied background and range of experiences. Over one-half of the respondents have been in education-related or legislative related jobs not less than five years or more than ten; however one-fourth (25 per cent) of the respondents have been in the same job for more than ten years. Most of the respondents have had administrative experience in

education or the executive and the legislative branches of the state or federal government. A majority of these individuals have an advance degree -- master's, doctorate or law. All of the study population has been involved with other education (65 per cent) or legislative activities (35 per cent).

The participants in the study basically joined professional organizations at nearly the rate of two to one -- 65 per cent joined as opposed to 35 per cent who did not respond, thereby letting the investigator assume they did not belong to any professional organization. There were a total of thirty-one national organizations mentioned with the emphasis on language-oriented groups. (See Table 12, Chapter IV.) The language spoken by the respondent as a child (ages 1-5) at home was that other than English.

Attendance at the Major Events

Of the 15 events identified by the investigator for the purposes of this study, four were National Education Association sponsored; three were non-NEA-sponsored; and seven were sponsored by either the U.S. Senate or the U.S. House of Representatives. The participants in the study attended at an average of 6.4 per event.

The theme for all the four NEA-sponsored events was "The Spanish-speaking Child in..." These four events were coordinated by Mr. Monroe Sweetland, who had been instrumental in the NEA - Tucson Survey Team Report¹ and the initial conference at Tucson, Arizona.

The NEA-sponsored as well as the non-NEA-sponsored conferences were all held in the southwestern part of the United States, while the Congressionally-sponsored events were held in various parts of the U.S.; California, Texas, New York and Washington, D.C.

The formal signing of the BEA was done by President Lyndon B. Johnson in the White House, with only three of the major actors in attendance.

Perceptions and Opinions Regarding the BEA Prior to its Enactment

Perceptions and opinions as expressed by the respondents showed that early childhood and elementary education were the main educational levels for which they intended the BEA. The consensus of the group at that time appeared to be that grades seven to twelve were expendable due to the rankings they were given.

¹National Education Association, Department of Rural Education, The Invisible Minority...Pero No Vencilbes. See List of Team Members and Preface.

The language priority and the identification of a certain ethnic group correlated quite specifically. Those ethnic groups which were ranked as having top priority; Mexican-Americans, Puerto Ricans and other Spanish-origin, also correlated with the language priority, Spanish.

The respondents were also asked to answer three openend questions. They were: (1) to rank the types of organizations or groups; (2) to name the predominant organizations or groups; and, (3) to list individuals who were most influencial in the enactment of the BEA.

The organizations and groups were ranked with candid honesty and the individuals named or listed were correspondingly consistent with the respondents perceptions. Members of Congress and the NEA were top ranked respectively in first and second place. The individuals named were also from these two categories only. Four were members of Congress and one was a staff member of the NEA.

Value judgments about the BEA were of importance to the study and again a series of questions provided some insights into the participants perception about the BEA. Generally speaking the respondents attributed positive values to the concept of bilingual education.

The value judgments about the BEA were assumed by the investigator as also providing the perception or basis for the most successful educational levels for implementation of the BEA. From the responses, the participants stated their preference for demonstration or pilot programs. The next preferred type of program was staff development by teacher-training institutions.

Perceptions and Opinions Regarding the First Two Years of BEA's Implementation

This last section was intended to elicit from the participants their perceptions of the BEA's implementation two years after the enactment by Congress. Of the 20 participants in this study, only seven could be identified as being eligible within a BEA-funded program.

As viewed by the respondents, the greatest impact the BEA was currently having was in the K-3 level as well as grades 1-6. The other grades were perceived as having received little or no impact due to the BEA.

The group identified most often were Mexican-Americans. Ninety per cent of the respondents listed them as the top group with two no responses. The difference between the next identified groups, Puerto Ricans and American Indians, was indeed small, 60 per cent and 55 per cent.

The perceived success of the BEA programs was ascribed to demonstration or pilot programs by a nearly three to one margin over the second choice. This perception was consistent with the type of programs funded by the U.S.O.E.

In order to ascertain the participants' perceptions regarding the acceptance and commitment of bilingual education at various levels, a series of questions were designed to ascertain these perceptions. The questions were based on how Congress, the U.S.O.E., state and local educational agencies had shown support for the BEA.

The respondents perceived by a margin of two to one that Congress was still very supportive of the BEA. However, state educational agencies were perceived as having provided some leadership but not the local educational agencies.¹

Conclusions

Bilingual education in American public schools has achieved limited success. This success can be viewed in two different ways. At one extreme, one only has to see that as of June, 1972, 178 on-going bilingual education programs have been funded by the U.S.O.E. with a total budget of \$35 million reaching approximately 100,000

¹See Table 15, Chapter IV, p. 128 and 129.

children of limited English-speaking background.¹ At the other extreme is the Massachusetts State Legislature which enacted the Transitional Bilingual Education Bill in 1972 requiring all local educational agencies to provide bilingual education for any 20 non-English or limited-English-speaking students in the school district. The federally-funded programs are optional, while the Massachusetts programs are mandatory. The contrast between these two approaches will be most interesting to observe in the fall of 1972, when the Massachusetts programs begin to be implemented.

Throughout this study, the investigator noted a consistent interest on the part of the participants in the area of grade levels, types of programs, language and ethnic priority and the role of the federal, state, and local educational agencies. These interests were consistent with the study population's perceptions prior to and after the enactment of the BEA.

The grade level and the types of programs were consistent in that the study population viewed the primary grades and demonstration or pilot types of programs as the basic thrust of bilingual education for limited-English-speaking children.

¹U.S.O.E. Press Release announcing the funding of 34 new bilingual education programs for FY '74 with a budget of \$2.4 million on Wednesday, 7 June 1972. The programs are not part of the above 178 on-going bilingual programs.

Language emphases and ethnic group priority correlated to the point of excluding other groups. Spanish was identified as the language most frequently spoken by youngsters as they entered school. Along with this was the identification of the ethnic groups that were to benefit the most from BEA-funded programs. The study population's perceptions were that Mexican-Americans and Puerto Ricans were now benefiting the most from BEA-funded programs; thereby the language emphases was Spanish.

An observation that can be made from the data is that the participants are not consistent in following-up to see that the BEA is implemented according to their perceptions. In the investigator's opinion, this area of follow-up is vital especially if the interest and purposes of the BEA are to be consistent with the conceptual frame work of the major actors. More dialogue is needed between the various individuals in order to provide a united front in the development of the guidelines involved in the enactment, they should also continue pressuring for implementation of BEA-funded programs in the conceptual manner they promoted.

Recommendations

The basic recommendations that can be drawn from this study and observations by the investigator are the following:

1. Teacher training as intended by the legislation must be an integral component of any program funded by the BEA. One can speak of all other education related activities and still miss that undefinable process of learning that depends not on age, race, I.Q. however measured, curricula however designed or learning materials however constructed, but on the peculiar chemistry between teacher and child. It is apparent that an Anglo teacher may not be familiar with a Mexican or other non-English-speaking culture; that unfamiliarity will not prevent effective bilingual teaching if strong training and familiarizing programs are undertaken. Even the Mexican-American teacher himself may not teach effectively Mexican-American children without some type of introduction into the special problems of his particular area or, indeed, the general problem of merging together two different cultures. Spanish-speaking children are no more homogeneous than English-speaking children: these training programs must insist that this be taken into account.

2. Mexican-Americans and other non-English-speaking individuals must be utilized as much as possible in BEA programs. It is obvious that these individuals have already dealt with the problems facing non-English-speaking children. As shown by the passage of the BEA itself, it is the pressure that these individuals help to generate that insures community awareness and concern.
3. New avenues of promoting bilingual education to the public must be sought. With the strange American mixture of prejudice and openness, tolerance and intolerance, complacency and experimentation, bilingual education cannot be allowed to proceed in society without constant attention. With the current stand on busing in Michigan and other states always in view, one must question whether American society is ready to accept an increased pluralism in its culture. It is one thing to argue that bilingual education, besides its obvious advantages to those young citizens who speak a language other than English, can also add new dimensions to American culture; it is quite another thing to get those dimensions effectively incorporated in the culture.

4. Adult education in the broadest sense must be emphasized, for as much as anything else the success of any BEA program is dependent upon parent involvement and community awareness. Support structures for bilingual education are just as important in the home as in the school. One cannot hope for a bilingual system of education that is built from top to bottom in an instant--the perceived effects of the BEA are for grades K-3 and 3-6. But community involvement is essential for BEA programs to work even at this level. Adult education serves to bridge not only the gap between child and culture, but also the gap between adult and culture.
5. Research must be encouraged and developed in the areas of testing and materials development. Through the now existing pilot programs will come extensive research in curriculum design and teacher training. This must be enhanced to provide a basis for design of a total program. The now familiar ghetto answer to "Where does milk come from?" "From a milktruck," is repeated over and over in much more subtle terms in bilingual education. These areas of misunderstanding must be identified and eliminated if bilingual education is to reach its goals.

6. Educational television programs should be developed. Not only is television the most readily available means of presenting an educational tool to the millions of children bilingual education must affect, it is also, as shown by other successful educational children's programs, a means of reaching parents and the larger community.
7. Funding of the BEA is a political question and the educational community-at-large must continue pressure for the full appropriation of the BEA by Congress.
8. State and regional educational organizations must maintain a constant vigil to see that state educational codes are changed to emphasize bilingual education.¹

Looking back on recent history having to do with bilingual education, one begins to realize the newness of the concept in American public education. One also begins to sense that this new area of education will take some time to mature as a viable force in the whole of American

¹California on May 24, 1967 changed its education code, Section 71 to allow bilingual education by approving that the medium of instruction be both in English and another language. Arizona followed in 1968, with New Mexico (stats. Ann. 77-11-12) and Texas (Education Code, Sec. 4.17) in 1969 also changing their state educational codes. Massachusetts in 1972 passed the nation's first mandatory bilingual education bill.

public education. At this point and time in our history, bilingual education is still in its infancy. It is still in the crawling stages. Before it can begin to run, bilingual education must be given the opportunity to walk. Congress has only done part of its job by authorizing large sums of money, but not appropriating them. Many children in our American educational system have been denied equal education opportunities because of their limited English-speaking background. Bilingual education programs provide an opportunity for many of these youngsters to enjoy the fruits of our society.

It is a crucial time, then, for bilingual education. The large sums of money needed to meet the scope of bilingual problems are authorized but not appropriated. One can only wonder at this precarious situation. The BEA, like much other legislation, was brought to light by a comparative handful of people responsive to the needs of a large, but hardly overwhelming minority. In a pessimistic view, Congress passed the BEA to appease the leaders of this minority, knowing that once appeased, actual appropriations need never occur. In an optimistic view, Congress saw the needs of children with limited English-speaking abilities and moved to enfranchise them into American society in a way that not only enhanced their opportunities as citizens to a level equal to that of

every child, and not only sought to preserve the richness and worth of their cultural heritage, but also looked to those qualities that they could bring to American society. In the long run, this openness to "new" people has been the strength of American society. Bilingual education affords that society an opportunity to renew this strength in all of the fields education touches upon.

APPENDICES

APPENDIX A

ORGANIZATIONS SPONSORING THE TUCSON, ARIZONA
CONFERENCE ON OCTOBER 30-31, 1966

Organizations sponsoring the Tucson, Arizona
Conference on October 30-31, 1966---

National Education Association
Arizona Education Association
California Teachers' Association
Colorado Education Association
New Mexico Education Association
Texas State Teachers' Association
Texas Classroom Teachers' Association

The External Advisory Committee consisted of---

American Friends Service Committee (AFSC)
Anti-Defamation League of B'Nai B'Rith
League of United Latin-American Citizens (LULAC)
National Association for the Advancement of Colored
People (NAACP)
National Urban League
Southern Christian Leadership Conference (SCLC)
U.S. Commission on Civil Rights
U.S. Community Relations Services
U.S. Office of Education

Influential educators and politicians were---

Dr. Theodore Andersson
University of Texas

Miss Lupe Anguiano
O.E.O.-Sponsored Community Program Director

Dr. Irvamae Applegate
President, NEA

Mr. María Esman Barker
Applied Research Language Center

Hon. Joe Bernal
State Senate, Texas

Dr. Jose A. Cardenas
Dean, School of Education, St. Mary's University

- Mr. Marcus deLeon
Los Angeles City Schools
- Mrs. Sarah Folsom
State Superintendent of Public Instruction,
Arizona
- Dr. A. Bruce Gaarder
U.S. Office of Education
- Hon. Samuel Goddard
Governor of Arizona
- Mr. Eugene Gonzales
Assistant State Superintendent of Public
Instruction, California
- Hon. Henry B. Gonzales
Representative, Texas
- Mr. Adalberto Guerrero
Professor Romance Languages, University of
Arizona
- Mrs. Irvin E. Hendryson
First Vice President, National Congress of
Parents and Teachers
- Dr. Herschel T. Manuel
University of Texas
- Dr. Miguel Montes
Member, Board of Education, State of California
- Hon. Joseph Montoya
U.S. Senator, New Mexico
- Dr. Julian Nava
Member-elect, Los Angeles City Schools Board
of Education
- Mr. Robert Reveles
Administrative Assistant to Congressman Udall
- Mr. Armando Rodriguez
California State Department of Education
- Mr. Lewis Ruybalid
Regional Director, O.E.O.

Mr. Monroe Sweetland
Legislative Consultant, NEA

Hon. Morris Udall
Representative, Arizona

Miss. María Urquides
Chairperson, NEA-Tucson Survey Team

Sen. Ralph Yarborough
U.S. Senator, Texas

APPENDIX B

BILINGUAL AMERICAN EDUCATION ACT

S. 428

90TH CONGRESS
1ST SESSION

S. 428

IN THE SENATE OF THE UNITED STATES

JANUARY 17 (legislative day, JANUARY 12), 1967

Mr. YAMBOROUGH (for himself, Mr. JAVITS, Mr. KENNEDY of New York, Mr. KUCHEL, Mr. MONTANA, Mr. TOWER, and Mr. WILLIAMS of New Jersey) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual American education programs, and to provide certain other assistance to promote such programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 BILINGUAL AMERICAN EDUCATION PROGRAMS

4 SECTION 1. The Elementary and Secondary Education
5 Act of 1965 is amended by redesignating title VII as title
6 VIII, by redesignating sections 701 through 706 and refer-
7 ences thereto as sections 801 through 806, respectively, and
8 by adding after title VI the following new title:

2

1 "TITLE VII—BILINGUAL AMERICAN EDUCATION

2 PROGRAMS

3 "SHORT TITLE

4 "SEC. 701. This title may be cited as the 'Bilingual
5 American Education Act'.

6 "DECLARATION OF POLICY

7 "SEC. 702. In recognition of the special educational
8 needs of the large numbers of students in the United States
9 whose mother tongue is Spanish and to whom English is a
10 foreign language, Congress hereby declares it to be the policy
11 of the United States to provide financial assistance to local
12 educational agencies to develop and carry out new and
13 imaginative elementary and secondary school programs de
14 signed to meet these special educational needs.

15 "AUTHORIZATION AND ALLOTMENTS

16 "SEC. 703. (a) For the purpose of making grant
17 under this title, there is authorized to be appropriated the
18 sum of \$5,000,000 for the fiscal year ending June 30, 1968
19 \$10,000,000 for the fiscal year ending June 30, 1969, and
20 \$15,000,000 for the fiscal year ending June 30, 1970, and
21 the succeeding fiscal year.

22 "(b) From the sums appropriated pursuant to subsec
23 tion (a) for each fiscal year the Commissioner shall allot an
24 amount to each State based upon the number of Spanish
25 speaking elementary and secondary school students in suc

3

1 State and the per capita income in such State in such manner
2 as he determines will best carry out the purpose of this title.
3 For the purpose of this title 'Spanish-speaking elementary
4 and secondary students, means elementary and secondary
5 school students born in, or one or both of whose parents were
6 born in, Mexico or Puerto Rico, and, in States for which such
7 information is available, other students with Spanish
8 surnames.

9 “(c) A State's allotment for a fiscal year pursuant to
10 subsection (b) shall be available, prior to such date in such
11 year as is established by the Commissioner, for grants to local
12 educational agencies in such State pursuant to this title.
13 Allotments not reserved prior to such date may be reallocated
14 to other States and made available for grants pursuant to this
15 title prior to the end of such fiscal year in such manner as the
16 Commissioner determines will best carry out the purposes of
17 this title.

18 “USES OF FEDERAL FUNDS

19 “SEC. 704. Grants under this title may be used, in
20 accordance with applications approved under section 705,
21 for—

22 “(a) planning for and taking other steps leading
23 to the development of programs designed to meet the
24 special educational needs of students whose mother

4

1 tongue is Spanish, including pilot projects designed to
2 test the effectiveness of plans so developed; and

3 “(b) the establishment, maintenance, and opera-
4 tion of programs, including minor remodeling of class-
5 room or other space used for such programs and acquisi-
6 tion of necessary equipment, designed to meet the special
7 educational needs of students whose mother tongue is
8 Spanish, through activities such as—

9 “(1) bilingual educational programs;

10 “(2) the teaching of Spanish as the native
11 language;

12 “(3) the teaching of English as a second
13 language;

14 “(4) programs designed to impart to Spanish-
15 speaking students a knowledge of and pride in their
16 ancestral culture and language;

17 “(5) efforts to attract and retain as teachers
18 promising individuals of Mexican or Puerto Rican
19 decent;

20 “(6) efforts to establish closer cooperation
21 between the school and the home; and

22 “(7) other activities which meet the purposes
23 of this title.

5

1 "APPLICATIONS FOR GRANTS AND CONDITIONS FOR
2 APPROVAL

3 "SEC. 705. (a) A grant under this title may be made
4 to a local educational agency or agencies upon application to
5 the Commissioner at such time or times, in such manner,
6 and containing or accompanied by such information as the
7 Commissioner deems necessary. Such applications shall—

8 "(1) provide that the activities and services for
9 which assistance under this title is sought will be ad-
10 ministered by or under the supervision of the applicant;

11 "(2) set forth a program for carrying out the
12 purpose set forth in paragraph (a) or paragraph (b)
13 of section 704 and provide for such methods of admin-
14 istration as are necessary for the proper and efficient
15 operation of the program;

16 "(3) set forth a program of such size, scope, and
17 design as will make a substantial step toward achieving
18 the purpose of this title;

19 "(4) set forth policies and procedures which assure
20 that Federal funds made available under this title for
21 any fiscal year will be so used as to supplement and,
22 to the extent practical, increase the level of funds that
23 would, in the absence of such Federal funds, be made

6

1 available by the applicant for the purposes described
2 in paragraphs (a) and (b) of section 704, and in no
3 case supplant such funds;

4 “(5) provide for such fiscal control and fund ac-
5 counting procedures as may be necessary to assure
6 proper disbursement of and accounting for Federal funds
7 paid to the applicant under this title; and

8 “(6) provide for making an annual report and such
9 other reports, in such form and containing such infor-
10 mation, as the Commissioner may reasonably require to
11 carry out his functions under this title and to determine
12 the extent to which funds provided under this title have
13 been effective in improving the educational opportunities
14 of persons in the area served, and for keeping such rec-
15 ords and for affording such access thereto as the Com-
16 missioner may find necessary to assure the correctness
17 and verification of such reports.

18 “(b) Applications for grants under title may be ap-
19 proved by the Commissioner only if—

20 “(1) the application meets the requirements set
21 forth in subsection (a);

22 “(2) the program set forth in the application is
23 consistent with criteria established by the Commissioner
24 for the purpose of achieving an equitable distribution of
25 assistance under this title within each State, which cri-

7

1 teria shall be developed by him on the basis of a con-
2 sideration of (A) the geographic distribution of persons
3 of Spanish surname within the State, (B) the relative
4 need of persons in different geographic areas within the
5 State for the kinds of services and activities described in
6 paragraph (b) of section 704, and their financial ability
7 to provide those services and activities, and (C) the
8 relative ability of particular local educational agencies
9 within the State to provide those services and activities;

10 “(3) in the case of an application for assistance
11 for a program for carrying out the purposes described in
12 paragraph (b) of section 704, the Commissioner deter-
13 mines (A) that the program will utilize the best avail-
14 able talents and resources and will substantially increase
15 the educational opportunities in the area to be served
16 by the applicant, and (B) that, to the extent consistent
17 with the number of children enrolled in non-profit
18 private schools in the area to be served whose educa-
19 tional needs are of the type which this program is
20 intended to meet, provision has been made for participa-
21 tion of such children; and

22 “(4) the State educational agency has been noti-
23 fied of the application and been given the opportunity
24 to offer recommendations.

25 “(c) Amendments of applications shall, except as the

1 Commissioner may otherwise provide by or pursuant to
2 regulations, be subject to approval in the same manner as
3 original applications.

4 “(d) The Commissioner shall encourage local educa-
5 tional agencies to utilize in programs assisted pursuant to
6 this title the assistance of persons with expertise in the
7 educational problems of the Spanish-speaking. He shall
8 also encourage local educational agencies to make optimum
9 use in such programs of the cultural and educational re-
10 sources of the area to be served. For the purposes of this
11 subsection, the term ‘cultural and educational resources’
12 includes State educational agencies, institutions of higher
13 education, non-profit private schools, public and non-profit
14 private agencies such as libraries, museums, musical and
15 artistic organizations, educational radio and television, and
16 other cultural and educational resources.

17 “PAYMENTS

18 “SEC. 706. (a) From the amounts allotted to each State
19 under section 703 the Commissioner shall pay to each appli-
20 cant in that State which has an application approved under
21 this title an amount equal to the total sums expended by the
22 applicant under the application for the purposes set forth
23 therein.

24 “(b) Payments under this title may be made in install-
25 ments and in advance or by way of reimbursement, with

1 necessary adjustments on account of overpayments or under-
2 payments.

3 "ADVISORY COMMITTEE

4 "SEC. 707. (a) The Commissioner shall establish in the
5 Office of Education an Advisory Committee on the Educa-
6 tion of Bilingual Children, consisting of the Commissioner,
7 who shall be Chairman, and eight members appointed, with-
8 out regard to the civil service laws, by the Commissioner
9 with the approval of the Secretary. At least four of the
10 members of the advisory committee shall be educators ex-
11 perienced in dealing with the educational problems of chil-
12 dren whose native tongue is a language other than English.

13 "(b) The advisory committee shall advise the Com-
14 missioner (1) on the action to be taken with regard to
15 each application for a grant under this title, and (2) in
16 the preparation of general regulations and with respect to
17 policy matters arising in the administration of this title, in-
18 cluding the development of criteria for approval of applica-
19 tions thereunder. The Commissioner may appoint such
20 special advisory and technical experts and consultants as
21 may be useful in carrying out the functions of the advisory
22 committee.

23 "(c) Members of the advisory committee shall, while
24 serving on the business of the advisory committee, be en-
25 titled to receive compensation at rates fixed by the Secretary,

1 but not exceeding \$100 per day, including traveltime; and,
2 while so serving away from their homes or regular places
3 of business, they may be allowed travel expenses, including
4 per diem in lieu of subsistence, as authorized by section 5703
5 of title 5 of the United States Code for persons in the Gov-
6 ernment service employed intermittently.

7 "LABOR STANDARDS

8 "SEC. 708. All laborers and mechanics employed by
9 contractors or subcontractors on all minor remodeling proj-
10 ects assisted under this title shall be paid wages at rates
11 not less than those prevailing on similar minor remodeling
12 in the locality as determined by the Secretary of Labor in
13 accordance with the Davis-Bacon Act, as amended (40
14 U.S.C. 276a—276a-5). The Secretary of Labor shall have,
15 with respect to the labor standards specified in this section,
16 the authority and functions set forth in Reorganization Plan
17 Numbered 14 of 1950 and section 2 of the Act of June 13,
18 1934, as amended (40 U.S.C. 276c)."

19 AMENDMENTS TO TITLE VI OF THE NATIONAL DEFENSE

20 EDUCATION ACT OF 1958

21 SEC. 2. (a) Section 601 (a) of the National Defense
22 Education Act of 1958 is amended by inserting after the
23 second sentence a new sentence as follows: "Any such con-
24 tract may include a curriculum designed for the special train-
25 ing of teachers of bilingual children."

BILINGUAL EDUCATION

13

11

1 (b) Section 603 of such Act is amended by striking out
2 "\$18,000,000" and inserting in lieu thereof "\$19,000,000."

3 AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE
4 EDUCATION ACT OF 1958

5 SEC. 3. (a) Section 1101 of the National Defense Edu-
6 cation Act of 1958 is amended by striking out "and each
7 of the three succeeding fiscal years" and inserting in lieu
8 thereof "and each of the two succeeding fiscal years, and
9 \$33,750,000 for the fiscal year ending June 30, 1968".

10 (b) Such section is further amended by striking out
11 the word "or" at the end of clause (3), by striking out the
12 period at the end of clause (4) and inserting in lieu thereof
13 a comma and the word "or", and by inserting after such
14 clause a new clause as follows:

15 "(5) who are engaged in or preparing to engage in
16 special educational programs for bilingual students."

17 AMENDMENTS TO COOPERATIVE RESEARCH ACT

18 SEC. 4. Subsections (a) and (b) of section 2 of the Co-
19 operative Research Act are each amended by inserting "and
20 title VII" after "section 503 (a) (4)".

APPENDIX C

H.R. 9840 and H.R. 10224

HOUSE OF REPRESENTATIVE

VERSIONS OF S. 428

BILINGUAL EDUCATION PROGRAMS

WEDNESDAY, JUNE 28, 1967

HOUSE OF REPRESENTATIVES,
GENERAL SUBCOMMITTEE ON EDUCATION
OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, at 10 a.m., pursuant to notice, in room 2261, Rayburn House Office Building, Hon. Roman C. Pucinski presiding.

Present: Representatives Hawkins, Hathaway, Scheuer, and Delenback.

Staff present: Charles Radcliffe, minority counsel; Charles N. Eischen, staff assistant; and Mattie Maynard, clerk.

Mr. PUCINSKI. The committee will come to order.

(Text of bills H.R. 9840 and H.R. 10224 follows:)

[H.R. 9840, 90th Cong., first sess.]

A BILL To amend the Elementary and Secondary Education Act of 1965 in order to assist bilingual education programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Bilingual Education Act".

SEC. 2. The Elementary and Secondary Education Act of 1965 (Public Law 89-10) is amended by redesignating title VII as title VIII, redesignating sections 701 through 706 and references thereto as sections 801 through 806, respectively, and by inserting after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATION PROGRAMS

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 701. There are authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1968, \$35,000,000 for the fiscal year ending June 30, 1969, and \$50,000,000 for each of the three succeeding fiscal years, to enable the Commissioner to make grants to local educational agencies and institutions of higher education to assist them in carrying out bilingual education programs in accordance with the provisions of this title.

"USES OF FEDERAL FUNDS

"SEC. 702. Grants under this title may be used, in accordance with applications approved under section 703, for—

"(a) planning for and taking other steps leading to the development of programs designed to provide high-quality educational opportunities for children from non-English-speaking homes, including pilot projects designed to test the effectiveness of plans so developed and the development and dissemination of special instructional materials for use in bilingual educational programs;

"(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers or teacher-aids, and inserv-

BILINGUAL EDUCATION PROGRAMS

ice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

"(c) the establishment, maintenance, and operation (including the construction, remodeling, or renovation, or acquisition by lease or otherwise, of necessary facilities and the acquisition of necessary equipment and instructional materials) of programs which are designed to upgrade the quality of the entire program of schools consisting of a large proportion of children from non-English-speaking, low-income families, or special programs designed to meet the educational needs of children in areas having high concentrations of children from non-English-speaking, low-income families, including—

"(1) intensive early childhood programs involving bilingual education techniques designed to provide children during the preschool, kindergarten, and early elementary years with educational experiences which will enhance their earning potential;

"(2) special programs or projects designed to supplement and enrich the programs of elementary and secondary schools, including bilingual education programs and bicultural education programs which acquaint students from both English-speaking and non-English-speaking homes with the history and culture associated with each language;

"(3) comprehensive programs of supportive services to students, including guidance and counseling, remedial instruction, summer programs, psychological and social work services, health and nutrition programs, and efforts to establish closer cooperation between the school and the home; and

"(4) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs.

APPROVAL OF PROJECT APPLICATIONS

"Sec. 703. (a) A grant may be made under this title only for a project under clause (a) of section 702 or a project involving programs under both of clauses (b) and (c) of section 702, upon application submitted to the Commissioner jointly by a local educational agency and an institution of higher education, at such time or times, in such manner, and accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the local educational agency and the institution of higher education jointly submitting the application will be responsible for carrying out the programs for which assistance is sought under this title;

"(2) set forth procedures and policies which assure that the training provided by the institution of higher education for teachers and teacher-aids will be coordinated with the bilingual education programs of the local educational agency in which such persons are serving or will serve;

"(3) provide for such methods of administration as will best carry out the purposes of this title;

"(4) set forth policies and procedures which assure that the Federal funds made available under this title will be so used as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of assistance under this title, be made available by the applicant for the education of children served by programs assisted under this title, and in no case supplant such funds;

"(5) show the estimated total current educational expenditure per pupil participating in the programs for which assistance is sought under this title;

"(6) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;

"(7) provide for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this title and to determine the extent to which funds expended for the purposes set forth in section 702 have been effective, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports; and

"(8) provide assurance that, to the extent consistent with law, provision has been made for the participation in the project of non-English-speaking children who are not enrolled in public school on a full-time basis.

BILINGUAL EDUCATION PROGRAMS

3

"(b) Applications for grants under this title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the project set forth in the application is of such size, scope, quality, and design as to provide reasonable assurance of making a substantial impact in meeting the special educational needs of persons who come from non-English-speaking, low-income families; and

"(3) approval of the project is consistent with criteria established by the Commissioner, including criteria designed to achieve an equitable distribution of assistance under this title and criteria designed to take into account the impact upon the educational programs in communities in which the number of non-English-speaking persons from low-income families constitutes a substantial proportion of the population.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"PAYMENTS

"SEC. 704. (a) The Commissioner shall pay to each applicant which has an application for a project approved under this title such amounts as the applicant may expend under the terms of the grant, which may include an amount for development of the proposal of not to exceed 1 per centum of the grant in the first year of a project assisted under this title.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"LABOR STANDARDS

"SEC. 705. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 1332-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

SEC. 3 (a) That part of section 801 (as so redesignated by section 2 of this Act) of the Elementary and Secondary Education Act of 1965 which precedes clause (a) is amended by striking out "and V" and inserting in lieu thereof "V, and VII".

(b) Clause (j) of such 801 is amended by striking out "title II and title III," and inserting in lieu thereof "titles II, III, and VII".

[H.R. 10224, 90th Cong., first sess.]

A BILL To amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of bilingual and bicultural children of non-English-speaking background; that little headway has been made in finding adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

BILINGUAL EDUCATION PROGRAMS

SECTION 1. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 706 and references thereto as sections 801 through 806, respectively, and by adding after title VI the following new title:

BILINGUAL EDUCATION PROGRAMS

"TITLE VII—BILINGUAL EDUCATION PROGRAMS

"SHORT TITLE

"SEC. 702. In recognition of the special educational needs of the large numbers of students in the United States from non-English-speaking backgrounds, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs.

"AUTHORIZATION AND ALLOTMENTS

"SEC. 703. (a) For the purpose of making grants under this title, there is authorized to be appropriated the sum of \$10,000,000 for the fiscal year ending June 30, 1968, \$20,000,000 for the fiscal year ending June 30, 1969, and \$30,000,000 for the fiscal year ending June 30, 1970, and the succeeding fiscal year.

"(b) The Commissioner shall develop criteria and procedures to assure that funds will go to areas of greatest need. Such criteria and procedures shall include consideration of the number of children between the ages of three and and eighteen in each State from non-English-speaking backgrounds, and the per capita income in each State.

"USES OF FEDERAL FUNDS

"SEC. 704. Grants under this title may be used in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of students from non-English-speaking backgrounds in schools having a significant proportion of children from non-English-speaking low-income families, including research projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

"(b) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials, designed to meet the special educational needs of students ditto above substitution in part (a), through activities such as—

"(1) bilingual educational programs;

"(2) programs designed to impart students a knowledge of the history and culture associated with their language;

"(3) efforts to attract and retain as teachers promising individuals from non-English-speaking backgrounds;

"(4) efforts to establish closer cooperation between the school and the home;

"(5) early childhood educational programs designed to improve the potential for profitable learning activities by children from non-English-speaking backgrounds;

"(6) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;

"(7) the training of bilingual teachers aids involved in such activities; and

"(8) other activities which need the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies, an institution of higher education, a regional research facility established pursuant to section 4 of the Cooperative Research Act, as amended, or a combination thereof upon application to the Commissioner at such time or times, in such manner and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purpose set forth in paragraph (a) or paragraph (b) of section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

BILINGUAL EDUCATION PROGRAMS

5

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in paragraphs (a) and (b) of section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports; and

"(7) provide assurance that, to the extent consistent with law, provision has been made for the participation in the project of non-English-speaking children who are not enrolled in public schools on a full-time basis.

"(b) Applications for grants under this title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of persons from non-English-speaking backgrounds within the State, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (b) of section 704, and their financial ability to provide those services and activities, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) in the case of the application for assistance for a program for carrying out the purposes described in paragraph (b) of section 704, the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"(d) The Commissioner shall encourage local educational agencies to utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children from non-English-speaking backgrounds. He shall also encourage local educational agencies to make optimum use in such programs of the cultural and educational resources of the area to be served. For the purposes of this subsection, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"PAYMENTS

"SEC. 706. (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

BILINGUAL EDUCATION PROGRAMS

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"SEC. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. At least four of the members of the advisory committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English. In addition, at least four of the members of the advisory committee shall be of non-English-speaking background.

"(b) The advisory committee shall advise the Commissioner (1) on the action to be taken with regard to each application for a grant under this title, and (2) in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the advisory committee.

"(c) Members of the advisory committee shall, while serving on the business of the advisory committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including traveltime; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently."

AMENDMENTS TO TITLE V OF THE HIGHER EDUCATION ACT OF 1965

SEC. 2. (a) Section 521 of the Higher Education Act of 1965 is amended by inserting after "a career of teaching in elementary or secondary schools" a new phrase as follows: "a career of teaching children from non-English-speaking backgrounds."

(b) Section 528 of such Act is amended by striking out "\$275,000,000" and inserting in lieu thereof "\$276,000,000."

EDUCATION ACT OF 1958

SEC. 3. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and for each of the two succeeding fiscal years" and inserting in lieu thereof "and for the succeeding fiscal year, and \$51,000,000 for the fiscal year ending June 30, 1968".

(b) Such section is further amended by striking out the word "or" at the end of clause (3), by striking out the period at the end of clause (4) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:

"(5) who are engaged in or preparing to engage in special educational programs for bilingual students."

AMENDMENTS TO COOPERATIVE RESEARCH ACT

SEC. 4. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a)(4)".

Mr. PUCINSKI, Congressman Pepper and Congressman Eckhardt, and Commissioner Howe, it is a pleasure to welcome you today to the hearings on amendments to the Elementary and Secondary Education Act which would authorize bilingual education programs.

The bills before us, H.R. 9840 and H.R. 10224, and the many related bills which have been introduced dealing with this subject, constitute what we believe to be one of the most necessary programs suggested in recent years for student development.

It has been estimated that in 1960 there were about 5 million persons in the 6-to-18-years age group in the United States who spoke a principal language other than English. It is estimated that at least 3 million of these young people today have been unable to acquire adequate proficiency in English to attend daily classes.

Nearly 2 million children of Spanish-speaking families, another 80,000 American Indians who are deprived of full command of English, and a million or more youngsters of school age from 30 additional ethnic backgrounds are confronted with a serious handicap in communication.

First-generation Americans have added immeasurably to the growth and success of all aspects of American life.

Children of non-English-speaking families, with a limited knowledge of English as they enter school, find academic success doubly difficult to achieve. In far too many instances, the language barrier results in frustration and failure. All too often, children who are unable to compete because of this language barrier drop out of school, thereby compounding their problems.

In many areas of the country, the problem is not isolated, but acute and pressing for large numbers of children.

Unless we act to correct this learning gap when the children are at the age to receive instructions, we will find in the future the cost of providing the necessary basic knowledge of English to adults may spiral out of control.

In our 20th century, we know that job opportunities, income levels, economic advancement and, in fact, almost all facets of community life are closely associated with the level of educational attainment.

The measures before this subcommittee are designed to augment and improve the existing programs of bilingual education. One bill under consideration requires that joint applications be submitted by local school agencies and institutions of higher learning in order to develop the most efficient method of assisting non-English-speaking youngsters to learn. The other bill before us will allow a combination to local school bodies, institutions of higher learning and research centers to phase together the best techniques of each organization.

In my own city of Chicago, experimental bilingual programs are underway in both public and private schools. Long ago we recognized the necessity of providing the tools for better learning to children of families who do not speak English.

One of our parochial schools—Precious Blood at 2401 Congress Street—has a student enrollment that is nearly 80 percent Spanish-American. The teachers at this school attend special language institutes and make use of new research on bilingual education. Many of them have spent part of their summers in Panama and Mexico to increase their knowledge of the language and culture of the area.

At Precious Blood, the classes are conducted in English, but the bilingual training is extremely useful in breaking through the language barriers. The children more readily understand and cooperate with a teacher who speaks their language.

Classes similar to these are conducted in most of our cities where there is a sizable non-English-speaking population. Public schools have been able to experiment in this area with some assistance under

titles I and III of the Elementary and Secondary Education Act. However, demands for other services available under these titles have prevented any one educational body from meeting the full requirements of bilingual education.

The Office of Education reports that about \$7 million was spent for programs of this nature in fiscal 1966, reaching about 142,000 youngsters—far short of the estimated 3 million who need them.

Some instruction was also offered through grants from the Office of Economic Opportunity at multilingual centers, day care centers, Headstart programs, special classes for migratory workers, and under the Cuban Refugee Assistance Act. There is an overwhelming need, however, for projects that will demonstrate effective methods of bilingual education to reach the great number of youngsters who require this very special instruction.

The measures under consideration today will be the development of model systems which ultimately will pave the way for smaller schools to adapt such programs to their needs. Dade County, Fla., has an exceptional program which has been perfected over the past 5 years and now reaches nearly 20,000 Cuban refugee children.

We believe intensive preschool classes will help to break this sound barrier of communication, as well.

Students who develop proficiency in English, while retaining a knowledge of their family language, will be encouraged under these programs to remain in the educational field as teachers. Others, who have completed their education and are bilingual, will be urged to return to school as teacher aides.

Finally, an effort will be made to encourage the non-English-speaking parents to attend education programs staffed by bilingual adults, thereby developing closer support of the goal of the schools, which is to educate children to become productive, independent adults.

It is my belief that the benefits of bilingual instruction will multiply greatly with each new generation. The need to begin the program is obvious. The benefits to individual communities and to the country should more than justify the investment.

We are very happy to have with us this morning Members of Congress who are supporting these measures and, before I turn to the Members of Congress, I would like to call upon the gentleman who has been sparking this program very much, and who has shown a great personal interest to bring this legislation to a successful enactment by Congress, Mr. Scherer from New York.

Mr. SCHERER. Well, I appreciate the courtesy of my chairman, and I congratulate him on his leadership and vision in this area. In deference to my distinguished colleagues in the House, whom we are all eager to hear, I would like to ask at this time unanimous consent, Mr. Chairman, to file a brief statement, so that we don't have to take up the valuable time of the witnesses, and if there is no objection, and if that will be satisfactory, I would very much like to hear from the witnesses.

I will just cite one stark, cruel fact of life in New York City, where I come from, that has given me a hyperawareness and a deep concern of the terrible scope of this problem.

In New York City, of the population aged 25 years or older, 40 percent of all whites have graduated from high school, and 31 percent

of the Negro population have graduated from high school, but only 13 percent of the adult Puerto Rican community have graduated from high school. Our education system, our education establishment, is ignoring the basic problem these kids from Spanish-speaking families have in adjusting to the new environment to which they have come, for which their parents haven't been able to give them compensating advantages. This is a pressing problem, not only in my community, but in others as well.

I want to emphasize another point: This is not exclusively a problem of Spanish-speaking kids, certainly not of Puerto Rican kids. I note Congressman Eckhardt, our distinguished, beloved, and respected colleague from Texas, is going to speak about the problems of Mexican-American kids.

I had a conversation yesterday with our colleague from Maine, Bill Hathaway, and nobody would have thought those Maine potato farmers would have a lot of trouble speaking English, or their kids, either, but he tells me he has communities where there are concentrations of Canadian children who speak Canuck French, and they have just as much of a problem as our Puerto Rican children and Mexican-American children.

This legislation will be for Polish kids in Buffalo and Chicago, Congressman Pucinski's city, for Japanese kids in Denver, for Chinese kids in San Francisco, and for the whole wonderful heterogeneity of foreign-speaking kids in our country.

I am very eager to hear from our colleagues.

APPENDIX D

COMPROMISE VERSION OF THE BILINGUAL EDUCATION

ACT IN THE HOUSE OF REPRESENTATIVES

(September 25, 1967)

Union Calendar No. 353

90TH CONGRESS
1ST SESSION

H. R. 13103

[Report No. 915]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1967

Mr. SCHEUER (for himself, Mr. PERKINS, Mr. PUCINSKI, Mr. BRADENAS, Mr. CAREY, Mr. MEEDS, Mr. HAWKINS, Mr. GIBBONS, Mr. HATHAWAY, Mrs. MINK, Mr. BELL, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. DANIELS, Mr. BURTON of California, Mr. GILBERT, Mr. ROYBAL, Mr. PEPPER, Mr. KETTL, Mr. ECKHARDT, Mr. POLANCO-ABREU, Mr. MATSUNAGA, Mr. UDALL, Mr. HOLFIELD, and Mr. FEIGHAN) introduced the following bill; which was referred to the Committee on Education and Labor

NOVEMBER 13, 1967

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational programs, and to provide certain other assistance to promote such programs.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act may be cited as the "Bilingual Education
- 4 Act".

FINDINGS OF CONGRESS

SEC. 2. The Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of children of limited English-speaking ability because they come from environments where the dominant language is other than English, *or where a language other than English is commonly used*; that little headway has been made in finding adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION

ACT OF 1965

SEC. 3. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 706 and references thereto as sections 801 through 806, respectively, and by inserting after title VI the following new title:

1 "TITLE VII—BILINGUAL EDUCATION
2 PROGRAMS

3 "DECLARATION OF POLICY

4 "SEC. 701. In recognition of the special educational
5 needs of the large numbers of children of limited English-
6 speaking ability in the United States, Congress hereby de-
7 clares it to be the policy of the United States to provide
8 financial assistance to local educational agencies to develop
9 and carry out new and imaginative elementary and sec-
10 ondary school programs designed to meet these special
11 educational needs and to preserve and enhance the foreign
12 language backgrounds and culture of such children. For the
13 purposes of this title, 'children of limited English-speaking
14 ability' means children of limited English-speaking ability
15 because they come from environments where the dominant
16 language is other than English, *or where a language other*
17 *than English is commonly used.*

18 "AUTHORIZATION AND DISTRIBUTION OF FUNDS

19 "SEC. 702. (a) For the purpose of making grants under
20 this title, there is authorized to be appropriated the sum of
21 \$10,000,000 for the fiscal year ending June 30, 1968 1969,

1 \$20,000,000 for the fiscal year ending June 30, ~~1969~~ 1970,
2 and \$30,000,000 each for the fiscal year ending June 30,
3 ~~1970~~ 1971, and for the succeeding fiscal year.

4 “(b) In determining the distribution of funds under this
5 title, the Commissioner shall give consideration to—

6 “(1) The relative needs of the States and areas
7 within the States for programs pursuant to this title;

8 “(2) The number of children of limited English-
9 speaking ability, aged three to eighteen, inclusive, in
10 each State, *including migratory children*;

11 “(3) The desirability of the development of bilin-
12 gual education programs for many different languages.

13 “USES OF FEDERAL FUNDS

14 “SEC. 703. Grants under this title may be used in
15 accordance with applications approved under section 704,
16 for—

17 “(a) planning for and taking other steps leading
18 to the development of programs offering high-quality
19 educational opportunities designed to meet the special
20 educational needs of children of limited English-speak-
21 ing ability in schools serving areas having concentra-
22 tions of such children, including pilot projects designed
23 to test the effectiveness of plans so developed, and the
24 development and dissemination of special instructional
25 materials for use in bilingual education programs;

1 “(b) providing preservice training designed to pre-
2 pare persons to participate in bilingual education pro-
3 grams as teachers or teacher aides, and inservice train-
4 ing and development programs designed to enable such
5 persons to continue to improve their qualifications while
6 participating in such programs; and

7 “(c) the establishment, maintenance, and operation
8 of programs, including acquisition of necessary teaching
9 equipment and materials, such as innovative computer-
10 based learning systems, audiovisual devices, and language
11 laboratories designed to meet the special educational
12 need of children of limited English-speaking ability in
13 schools serving areas having concentrations of such
14 children, including—

15 “(1) bilingual education programs;

16 “(2) special programs or projects designed to
17 supplement and enrich the programs of elementary
18 and secondary schools, including bilingual educa-
19 tion programs and bicultural education programs
20 which acquaint all students with the history and
21 culture associated with each language;

22 “(3) efforts to attract and retain as teachers
23 persons who have an intimate knowledge and un-
24 derstanding of the special needs of children of lim-
25 ited English-speaking ability;

6

1 “(4) efforts to establish closer cooperation be-
2 tween the school and the home;

3 “(5) intensive early childhood programs in-
4 volving bilingual education techniques designed to
5 provide children during the preschool, kindergarten,
6 and early elementary years with educational experi-
7 ences which will enhance their learning potential;

8 “(6) adult education programs related to the
9 purposes of this title, particularly for parents of
10 children participating in bilingual programs; and

11 “(7) comprehensive programs involving the
12 use of properly trained counselors, teacher aides,
13 and other educational personnel who can contribute
14 to meeting more effectively the needs of students
15 of limited English-speaking ability.

16 “(d) programs for the exchange or recruitment of
17 teachers from non-English-speaking countries to teach
18 their native language in elementary and secondary
19 schools in the United States in areas where that lan-
20 guage is the dominant language.

21 “APPLICATIONS FOR GRANTS AND CONDITIONS FOR
22 APPROVAL

23 “SEC. 704. (a) A grant under this title may be made
24 to a local educational agency or agencies, or to an institution
25 of higher education applying jointly with a local educational

1 agency upon application to the Commissioner at such time
2 or times, in such manner, and containing or accompanied
3 by such information as the Commissioner deems necessary.

4 Such application shall—

5 “(1) provide that the activities and services for
6 which assistance under this title is sought will be ad-
7 ministered by or under the supervision of the applicant;

8 “(2) set forth plans, to be carried out cooperatively
9 between the local educational agency and an institution
10 of higher education, for a coordinated program of pre-
11 service training and orientation followed by a continuing
12 program of inservice training and development for teach-
13 ers, counselors, teacher aides and other educational per-
14 sonnel participating in bilingual education programs;

15 “(3) set forth a program for carrying out the pur-
16 poses set forth in section 703 and provide for such
17 methods of administration as are necessary for the proper
18 and efficient operation of the program;

19 “(4) set forth a program of such size, scope, and
20 design as will make a substantial step toward achieving
21 the purpose of this title;

22 “(5) set forth policies and procedures which assure
23 that Federal funds made available under this title for any
24 fiscal year will be so used as to supplement and, to the
25 extent practicable, increase the level of State or local funds

1 that would, in the absence of such Federal funds, be made
2 available by the applicant (A) for the purposes described
3 in section 703, and in no case supplant such State or local
4 funds and (B) for the education of children served by
5 programs assisted under this title, and in no case supplant
6 such State or local funds;

7 “(6) show the estimated total current educational
8 expenditure per pupil participating in the programs for
9 which assistance is sought under this title;

10 “(7) provide for such fiscal control and fund ac-
11 counting procedures as may be necessary to assure
12 proper disbursement of and accounting for Federal funds
13 paid to the applicant under this title;

14 “(8) provide for making an annual report and
15 such other reports; in such form and containing such
16 information, as the Commissioner may reasonably re-
17 quire to carry out his functions under this title and to
18 determine the extent to which funds provided under
19 this title have been effective in improving the educa-
20 tional opportunities of persons in the area served, and
21 for keeping such records and for affording such access
22 thereto as the Commissioner may find necessary to
23 assure the correctness and verification of such reports;

24 “(9) provide assurance that provision has been
25 made for the participation in the project of those chil-

1 dren of limited English-speaking ability who are not
2 enrolled on a full-time basis;

3 “(10) provide assurance that, to the extent con-
4 sistent with the number of children enrolled in non-
5 profit private schools in the area to be served whose
6 educational needs are of the type the program is de-
7 signed to meet, provision has been made for the partici-
8 pation of such children;

9 “(11) provide satisfactory assurance that the con-
10 trol of funds provided under this title, and title to
11 property derived therefrom, shall be in a public agency
12 for the uses and purposes provided in this title, and
13 that a public agency will administer such funds and
14 property; and

15 “(12) provide that the applicant will utilize in
16 programs assisted pursuant to this title the assistance of
17 persons with expertise in the educational programs of
18 children of limited English-speaking ability and make
19 optimum use in such programs of the cultural and edu-
20 cational resources of the area to be served; and for
21 the purposes of this paragraph, the term ‘cultural and
22 educational resources’ includes State educational agen-
23 cies, institutions of higher education, nonprofit private
24 schools, public and nonprofit private agencies such as
25 libraries, museums, musical and artistic organizations,

1 educational radio and television, and other cultural and
2 educational resources.

3 “(b) Applications for grants under this title may be
4 approved by the Commissioner only if—

5 “(1) the application meets the requirements set
6 forth in subsection (a) ;

7 “(2) the project set forth in the application is of
8 such size, scope, quality, and design as to provide rea-
9 sonable assurance of making a substantial impact in
10 meeting the special educational needs of children of lim-
11 ited English-speaking ability and the adults referred to
12 in section 703 (c) (6) ;

13 “(3) the program set forth in the application is
14 consistent with criteria established by the Commissioner
15 for the purpose of achieving an equitable distribution of
16 assistance under this title within each State, which cri-
17 teria shall be developed by him on the basis of a consid-
18 eration of (A) the geographic distribution of children of
19 limited English-speaking ability, (B) the relative need
20 of persons in different geographic areas within the State
21 for the kinds of services and activities described in par-
22 agraph (c) of section 703, and (C) the relative ability
23 of particular local educational agencies within the State
24 to provide those services and activities;

25 “(4) in the case of the application for assistance

1 for a program for carrying out the purposes described in
2 paragraph (c) of section 703, the Commissioner de-
3 termines that the program will utilize the best available
4 talents and resources and will substantially increase the
5 educational opportunities in the area to be served by the
6 applicant;

7 “(5) the State educational agency has been noti-
8 fied of the application and been given the opportunity
9 to offer recommendations.

10 “(c) Amendments of applications shall, except as the
11 Commissioner may otherwise provide by or pursuant to
12 regulations, be subject to approval in the same manner as
13 original applications.

14 “PAYMENTS

15 “SEC. 705. (a) The Commissioner shall pay to each
16 applicant which has an application approved under this title
17 an amount equal to the total sums expended by the applicant
18 under the application for the purpose set forth therein.

19 “(b) Payments under this title may be made in install-
20 ments and in advance or by way of reimbursement, with
21 necessary adjustments on account of overpayments or under-
22 payments.

23 “ADVISORY COMMITTEE

24 “SEC. 706. (a) The Commissioner shall establish in
25 the Office of Education an Advisory Committee on Bilingual

1 Education consisting of the Commissioner, who shall be
2 Chairman, and eight members appointed, without regard to
3 the civil service laws, by the Commissioner with the ap-
4 proval of the Secretary.

5 " (b) The Advisory Committee shall advise the Commis-
6 sioner in the preparation of general regulations and with re-
7 spect to policy matters arising in the administration of this
8 title, including the development of criteria for approval of
9 applications thereunder. The Commissioner may appoint such
10 special advisory and technical experts and consultants as may
11 be useful and necessary in carrying out the functions of the
12 advisory committee.

13 " (c) Members of the advisory committee shall, while
14 serving on the business of the advisory committee, be en-
15 titled to receive compensation at rates fixed by the Secretary,
16 but not exceeding \$100 per day, including traveltime; and
17 while so serving away from their homes or regular places of
18 business, they may be allowed travel expenses, including per
19 diem in lieu of subsistence, as authorized by section 5703 of
20 title 5 of the United States Code for persons in the Govern-
21 ment service employed intermittently."

22

CONFORMING AMENDMENTS

23 SEC. 4. (a) That part of section 801 (as so redesignated
24 by section 3 of this Act) of the Elementary and Secondary
25 Education Act of 1965 which precedes clause (a) is

1 amended by striking out "and V" and inserting in lieu
2 thereof "V, and VII".

3 (b) Clause (j) of such section 801 is amended by
4 striking out "title II and title III," and inserting in lieu
5 thereof "titles II, III, and VII".

6 AMENDMENT TO TITLE V OF THE HIGHER EDUCATION ACT
7 OF 1965

8 SEC. 5. Section 523 of the Higher Education Act of
9 1965 is amended by striking out ", and" at the end of sub-
10 paragraph (1) and inserting in lieu thereof a semicolon, by
11 deleting the period at the end of subparagraph (2) and in-
12 serting in lieu thereof "; and", and by adding at the end of
13 such section the following new subparagraph:

14 "(3) afford adequate opportunities for quality
15 preparation for persons pursuing or planning to pursue
16 a career in elementary and secondary education who
17 are engaged in or preparing to engage in the teaching of
18 children of limited English-speaking ability."

19 AMENDMENT TO COOPERATIVE RESEARCH ACT

20 SEC. 6. Subsections (a) and (b) of section 2 of the
21 Cooperative Research Act are each amended by striking
22 out "section 503 (a) (4)" and inserting in lieu thereof "sec-
23 tion 503 (4) and title VII".

Union Calendar No. 353

80TH CONGRESS
1ST Session

H. R. 13103

[Report No. 915]

A BILL

To amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational programs, and to provide certain other assistance to promote such programs.

By Mr. SCHERER, Mr. PERKINS, Mr. POINSKI, Mr. BRADENAS, Mr. CAREY, Mr. MEEDS, Mr. HAWKINS, Mr. GIBBONS, Mr. HATHAWAY, Mrs. NINK, Mr. BELL, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. DANIELS, Mr. BURTON of California, Mr. GILBERT, Mr. ROYBAL, Mr. PEPPER, Mr. KETTE, Mr. BERNHARDT, Mr. POLANCO-ABREU, Mr. MATSUNAGA, Mr. UDALL, Mr. HOLIFIELD, and Mr. FEIGHAN

SEPTEMBER 25, 1967

Referred to the Committee on Education and Labor

NOVEMBER 13, 1967

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

APPENDIX E

THE FINAL VERSION OF THE BILINGUAL EDUCATION ACT

ENACTED ON JANUARY 2, 1968

P.L. 90-247

APPROPRIATIONS AUTHORIZED

SEC. 602. There is hereby authorized to be appropriated \$150,000 to carry out the provisions of this title.

TITLE VII—BILINGUAL EDUCATION PROGRAMS

FINDINGS OF CONGRESS

SEC. 701. The Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of children of limited English-speaking ability because they come from environments where the dominant language is other than English; that additional efforts should be made to supplement present attempts to find adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

79 Stat. 55;
80 Stat. 1204.
20 USC 881-886.

SEC. 702. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 707 and references thereto as sections 801 through 807, respectively, and by inserting after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATION PROGRAMS

"SHORT TITLE

"SEC. 701. This title may be cited as the 'Bilingual Education Act'.

"DECLARATION OF POLICY

"SEC. 702. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, 'children of limited English-speaking ability' means children who come from environments where the dominant language is other than English.

"AUTHORIZATION AND DISTRIBUTION OF FUNDS

"SEC. 703. (a) For the purposes of making grants under this title, there is authorized to be appropriated the sum of \$15,000,000 for the fiscal year ending June 30, 1968, \$30,000,000 for the fiscal year ending June 30, 1969, and \$10,000,000 for the fiscal year ending June 30, 1970.

"(b) In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs pursuant to this title. Such priorities shall take into consideration the number of children of limited English-speaking ability between the ages of three and eighteen in each State.

January 2, 1968

- 35 -

Pub. Law 90-247

81 STAT. 817

"USES OF FEDERAL FUNDS

"SEC. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below \$3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, including research projects, pilot projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

42 USC 401-428.

"(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers, teacher-aides, or other ancillary education personnel such as counselors, and inservice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

"(c) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials and equipment, designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below \$3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, through activities such as—

"(1) bilingual education programs;

"(2) programs designed to impart to students a knowledge of the history and culture associated with their languages;

"(3) efforts to establish closer cooperation between the school and the home;

"(4) early childhood educational programs related to the purposes of this title and designed to improve the potential for profitable learning activities by children;

"(5) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;

"(6) programs designed for dropouts or potential dropouts having need of bilingual programs;

"(7) programs conducted by accredited trade, vocational, or technical schools; and

"(8) other activities which meet the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, upon application to the Commissioner at such time or times, in such manner and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

81 STAT. 817

81 STAT. 818

79 Stat. 27;

80 Stat. 1198.

20 USC 241a note.

"(2) set forth a program for carrying out the purpose set forth in section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practicable, increase the level of funds (including funds made available under title I of this Act) that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(7) provide assurance that provision has been made for the participation in the project of those children of limited English-speaking ability who are not enrolled on a full-time basis; and

"(8) provide that the applicant will utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children of limited English-speaking ability and make optimum use in such programs of the cultural and educational resources of the area to be served; and for the purposes of this paragraph, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"(b) Applications for grants under title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner (where feasible, in cooperation with the State educational agency) for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of children of limited English-speaking ability, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (c) of section 704, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) the Commissioner determines (A) that the program will utilize the best available talents and resources and will substan-

January 2, 1968

- 37 -

Pub. Law 90-247

tially increase the educational opportunities for children of limited English-speaking ability in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

81 STAT. 818
81 STAT. 819

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"PAYMENTS

"SEC. 706. (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"SEC. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of nine members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. The Commissioner shall appoint one such member as Chairman. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

"(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful and necessary in carrying out the functions of the Advisory Committee.

"(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

Members.
Compensation;
travel ex-
penses.

80 Stat. 499.

"LABOR STANDARDS

"SEC. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority

49 Stat. 1011;
78 Stat. 238.

- 64 Stat. 1267. and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."
- 63 Stat. 108.

CONFORMING AMENDMENTS

- Ante, p. 816. SEC. 703. (a) That part of section 801 (as so redesignated by section 702 of this Act) of the Elementary and Secondary Education Act of 1965 which precedes clause (a) is amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".
- 81 STAT. 819 (b) Clause (j) of such section 801 as amended by this Act is further amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".
- 81 STAT. 820

AMENDMENTS TO TITLE V OF THE HIGHER EDUCATION ACT OF 1965

- 79 Stat. 1258. SEC. 704. (a) The third sentence of section 521 of the Education Professions Development Act (title V of the Higher Education Act of 1965) is amended (1) effective for the fiscal year ending June 30, 1968 only, by inserting after "a career of teaching in elementary or secondary schools" a new phrase as follows: ", a career of teaching children of limited English-speaking ability", and (2) effective with respect to subsequent fiscal years, by inserting ", and including teaching children of limited English-speaking ability" after "including teaching in pre-school and adult and vocational education programs".
- 20 USC 1111. (b) Effective for the fiscal year ending June 30, 1968, only, section 522(a) of such Act is amended by striking out "ten thousand fellowships for the fiscal year ending June 30, 1968" and inserting in lieu thereof "eleven thousand fellowships for the fiscal year ending June 30, 1968".
- 20 USC 1118. (c) (1) Section 528 of such Act is amended, effective with respect to fiscal years ending after June 30, 1967, by striking out "\$275,000,000" and inserting in lieu thereof "\$285,000,000"; striking out "\$195,000,000" and inserting in lieu thereof "\$205,000,000"; striking out "\$240,000,000" and inserting in lieu thereof "\$250,000,000"; and striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1970".
- Ante, p. 94. (2) The amendments made by this subsection shall, notwithstanding section 9(a) of Public Law 90-35, be effective with regard to fiscal years beginning after June 30, 1967.
- Ante, p. 92. (d) Section 531(b) of such Act is amended by redesignating clauses (8) and (9) thereof as clauses (9) and (10), respectively, and by inserting immediately after clause (7) the following new clause:
- "(8) programs or projects to train or retrain persons engaging in special educational programs for children of limited English-speaking ability;"

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

- 78 Stat. 1107; SEC. 705. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and for each of the two succeeding fiscal years" and inserting in lieu thereof "and for the succeeding fiscal year, and \$51,000,000 for the fiscal year ending June 30, 1968".
- 79 Stat. 1254. (b) Such section is further amended by striking out the period at the end of clause (3) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:
- 20 USC 591. "(4) who are engaged in or preparing to engage in special educational programs for children of limited English-speaking ability."
- 79 Stat. 1228.

January 2, 1968

- 39

Pub. Law 90-247

81 STAT. 820AMENDMENTS TO COOPERATIVE RESEARCH ACT

SEC. 706. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a) (4)".

68 Stat. 533;
79 Stat. 44.
20 USC 331 note.

Approved January 2, 1968.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 188 (Comm. on Education & Labor) and No. 1049 (Comm. of Conference).

SENATE REPORT No. 726 (Comm. on Labor & Public Welfare).

CONGRESSIONAL RECORD, Vol. 113 (1967):

May 22-24: Considered and passed House.

Dec. 1, 4-8, 11: Considered and passed Senate amended.

Dec. 15: House and Senate agreed to conference report.

APPENDIX F

AMENDMENTS TO THE BILINGUAL
EDUCATION ACT OF 1968
(April 13, 1970)

AMENDMENTS TO THE BILINGUAL
EDUCATION ACT OF 1968
(April 13, 1970)

Part E - Amendments to Title VII of the Elementary and
Secondary Education Act of 1965 (Bilingual
Education)

Extension of Title VII of the Elementary and Secondary
Education Act of 1965 (The Bilingual Education Act)

Sec. 151. Section 703 (a) of the Elementary and
Secondary Education Act of 1965 is amended by striking
out "and" where it appears after "1969" and by inserting
before the period at the end thereof a comma and the
following: "\$80,000,000 for the fiscal year ending June
30, 1971, \$100,000,000 for the fiscal year ending June
30, 1972, and \$135,000,000 for the fiscal year ending
June 30, 1973".

(81 Stat. 816. 20 USC 880b-1.)

Application to Indians on Reservations

Sec. 152. (a) Title VII of the Elementary and
Secondary Education Act of 1965 is amended by redesign-
inating sections 706, 707, and 708 (and references
thereto) as sections 707, 708, and 709 thereof and by

(b) Section 707 (a) of such Act (as redesignated by this Act) is amended by inserting the following before the period at the end thereof: "or, in the case of payments to the Secretary of the Interior, an amount determined pursuant to section 706(b)".

(20 USC 880b-4.)

Increase in Membership of Advisory Committee on the
Education of Bilingual Children

Sec. 153. Section 708 (a) of the Elementary and Secondary Education Act of 1965 as redesignated by this Act, is amended (1) by striking out "nine" and inserting in lieu thereof "fifteen", and (2) by striking out "four" and inserting in lieu thereof "seven".

(20 USC 880b-5.)

inserting the following new section immediately after section 705:

(20 USC 880b-4-880b-6)

Children in Schools on Reservations

"Sec. 706. (a) For the purpose of carrying out programs pursuant to this title for individuals on reservations serviced by elementary and secondary schools operated on such reservations for Indian children, a nonprofit institution or organization of the Indian tribe concerned, which operates any such school and which is approved by the Commissioner for the purposes of this section, may be considered to be a local educational agency as such term is used in this title.

(Ante, p. 151)

"(b) From the sums appropriated pursuant to section 703, the Commissioner may also make payments to the Secretary of the Interior for elementary and secondary school programs to carry out the policy of section 702 with respect to individuals on reservations serviced by elementary and secondary schools for Indian children operated or funded by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702."

(81 Stat. 816. 20 USC 880b.)

APPENDIX G

THE COMPLETE BILINGUAL EDUCATION ACT
OF 1968 WITH AMENDMENTS AS
PASSED ON APRIL 13, 1970

TITLE VII--BILINGUAL EDUCATION PROGRAMS

Short Title

SEC. 701. This title may be cited as the
"Bilingual Education Act".

Declaration of Policy

SEC. 702. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purpose of this title, "children of limited English-speaking ability" means children who come from environments where the dominant language is other than English.

(20 U.S.C. 880b) Enacted Jan. 2, 1968, P.L. 90-247, Title VII, Sec. 702, 81 Stat 816.

Authorization and Distribution of Funds

SEC. 703. (a) For the purposes of making grants under this title, there is authorized to be appropriated

the sum of \$15,000,000 for the fiscal year ending June 30, 1968, \$30,000,000 for the fiscal year ending June 30, 1969, \$40,000,000 for the fiscal year ending June 30, 1970, \$80,000,000 for the fiscal year ending June 30, 1971, \$100,000,000 for the fiscal year ending June 30, 1972, and \$135,000,000 for the fiscal year ending June 30, 1973.

(b) In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs pursuant to this title. Such priorities shall take into consideration the number of children of limited English-speaking ability between the ages of three and eighteen in each State.

(20 U.S.C. 880b-1) Enacted Jan. 2, 1968, P.L. 90-247, Title VII, Sec. 702, 81 Stat. 816; amended April 13, 1970, P.L. 91-230, Sec. 151.

Uses of Federal Funds

SEC. 704. Grants under this title may be used, in accordance with applications approved under section 705, for--

(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of children of limited English-

speaking ability in schools having a high concentration of such children from families (A) with incomes below \$3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, including research projects, pilot projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers, teacher-aides, or other ancillary education personnel such as counselors, and inservice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

(c) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials and equipment, designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below \$3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, through activities such as--

- (1) bilingual education programs;
- (2) programs designed to impart to students a knowledge of the history and culture associated with their languages;
- (3) efforts to establish closer cooperation between the school and the home;
- (4) early childhood educational programs related to the purposes of this title and designed to improve the potential for profitable learning activities by children;
- (5) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;
- (6) programs designed for dropouts or potential dropouts having need of bilingual programs;
- (7) programs conducted by accredited trade, vocational, or technical schools; and
- (8) other activities which meet the purposes of this title.

(20 U.S.C. 880b-2) Enacted Jan. 2, 1968, P.L.

90-247, Title VII, sec. 702, 81 Stat. 817.

Applications for Grants and

Conditions for Approval

SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, upon application to the Commissioner at such time or times, in such manner and containing or accompanied by such information as the Commissioner deems necessary. Such application shall--

- (1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;
- (2) set forth a program for carrying out the purpose set forth in section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;
- (3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;
- (4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practicable, increase the level of funds (including funds made available under title I of this Act) that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 704, and in no case supplant such funds;
- (5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;
- (6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;
- (7) provide assurance that provision has been made for the participation in the project of those children of limited English-speaking ability who are not enrolled on a full-time basis; and

(8) provide that the applicant will utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children of limited English-speaking ability and make optimum use in such programs of the cultural and educational resources of the area to be served; and for the purposes of this paragraph, the term "cultural and educational resources" includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

(b) Applications for grants under title may be approved by the Commissioner only if--

- (1) the application meets the requirements set forth in subsection (a);
- (2) the program set forth in the application is consistent with criteria established by the Commissioner (where feasible, in cooperation with the State educational agency) for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of children of limited English-speaking ability, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (c) of section 704, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;
- (3) the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities for children of limited English-speaking ability in the area to be served by the applicant, and (B) that, to the extent consistent with the number of

children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

- (4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

(20 U.S.C. 880b-3) Enacted Jan. 2, 1968, P.L. 90-247, Title VII, sec. 702, 81 Stat. 817.

Children in Schools on Reservations

SEC. 706. (a) For the purpose of carrying out programs pursuant to this title for individuals on reservations serviced by elementary and secondary schools operated on such reservations for Indian children, a nonprofit institution or organization of the Indian tribe concerned which operates any such school and which is approved by the Commissioner for the purposes of this section, may be considered to be a local educational agency as such term is used in this title.

(b) From the sums appropriated pursuant to section 703, the Commissioner may also make payments to the Secretary of the Interior for elementary and secondary school programs to carry out the policy of section 702 with respect

to individuals on reservations serviced by elementary and secondary schools for Indian children operated or funded by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702.

SEC. 707 (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein or, in the case of payments to the Secretary of the Interior, an amount determined pursuant to section 706(b).

(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(20 U.S.C. 880b-4) Enacted Jan. 2, 1968, P.L. 90-247, Title VII, Sec. 702, 81 Stat. 819; redesignated and amended April 13, 1970, P.L. 91-230, Sec. 152(a)(b).

Advisory Committee

SEC. 708. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the

Education of Bilingual Children, consisting of fifteen members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. The Commissioner shall appoint one such member as Chairman. At least seven of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful and necessary in carrying out the functions of the Advisory Committee.

(20 U.S.C. 880b-5) Enacted Jan. 2, 1968, P.L. 90-247, Title VII, Sec. 702, 81 Stat. 819; redesignated and amended April 13, 1970, P.L. 91-230, Secs. 152(a), 153, 401(h).

APPENDIX H

GRANTS FOR BILINGUAL EDUCATION PROGRAMS

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 123—FINANCIAL ASSISTANCE FOR BILINGUAL EDUCATION PROGRAMS

Grants made pursuant to the regulations set forth below are subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (Public Law 88-352).

Part 123 reads as follows:

Subpart A—Definitions

Sec. 123.1 Definitions.

Subpart B—Project Proposals

- 123.2 General provisions.
- 123.3 Designation and certification of applicant agency.
- 123.4 Purpose.
- 123.5 Information required in the project proposal.
- 123.6 Amendments.
- 123.7-123.12 [Reserved]

Subpart C—Approval of Project Applications

- Sec.
- 123.13 Criteria for the evaluation of proposals.
- 123.14 Disposition.
- 123.15-123.20 [Reserved]

Subpart D—Federal Financial Participation and Payment Procedures

- 123.21 Effective date of an approved project.
- 123.22 Extent of participation under title VII of the Act.
- 123.23 Availability of funds for approved projects.
- 123.24 Fiscal and auditing procedures.
- 123.25 Adjustments.
- 123.26 Disposal of records.
- 123.27 Cooperative agreements.
- 123.28 Eligible expenditures.
- 123.29 Funds not expended.
- 123.30-123.34 [Reserved]

Subpart E—Equipment and Teaching Materials

- 123.35 Title to equipment and teaching materials.
- 123.36 Use and control.
- 123.37 Inventories of equipment.
- 123.38 Copyrights and patents.
- 123.39-123.43 [Reserved]

Subpart F—Joint Project Applications

- 123.44 Budgets.
- 123.45-123.49 [Reserved]

Subpart G—Eligibility of Children To Participate

- 123.50 Participation by children from families other than low-income fam-

ilies.

- 123.51 Participation by children from environments where English is the dominant language.

AUTHORITY: The regulations in this Part 123 issued under 5 U.S.C. 301, interpret or apply secs. 702-708, 81 Stat. 816-819, 20 U.S.C. 880b-880u-6.

Subpart A—Definitions

§ 123.1 Definitions.

As used in this part:

(a) "Act" means the Elementary and Secondary Education Act of 1965, Public Law 89-10, as amended, title VII of which is known as the "Bilingual Education Act".

(b) "Bilingual education" means the use of two languages, one of which is English, as mediums of instruction.

(c) "Children of limited English-speaking ability" means children who come from environments where the dominant language is one other than English.

(d) "Commissioner" means the U.S. Commissioner of Education.

(e) "Cultural and educational resources" includes, but is not limited to, State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, and educational radio and television.

(f) "Dominant language" means with respect to a child the language commonly used in the child's home or community.

(g) "Dropout" means a person who withdraws from school membership before completing his elementary and secondary school education.

(h) "Elementary school" means a day or residential school which provides elementary education, as determined under State law.

(i) "Fiscal year" is the period of time which begins July 1 and ends June 30 of the following year.

(j) "High concentration" means a concentration of substantial numbers of children of limited English-speaking abilities from families with incomes below \$3,000 per year or receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act.

(k) "Inservice training" means short-term or part-time training in the instruction of children of limited English-speaking ability for persons while participating as teachers, teacher-aides, or other ancillary education personnel in bilingual

education programs in elementary (including preelementary) or secondary schools, or in accredited trade, vocational, or technical schools.

(l) "Institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate; (2) is legally authorized within such a State to provide a program of education beyond secondary education; (3) provides an educational program for which it awards a bachelor's degree, or provides not less than a 2-year program which is acceptable for full credit toward such a degree, or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare a student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge; (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association included on the list of such agencies or associations published by the Commissioner, or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. In the case of an institution offering a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions to participate under this Act and shall also determine whether particular institutions meet such standards.

(m) "Local educational agency" means a public board of education or other public authority legally constituted

within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as is recognized in a State as an administrative agency for its public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(n) "Nonprofit", as applied to a school, agency, organization, or institution, means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(o) "Preservice training" means training for college undergraduates and graduates and other persons who present reasonable evidence of intention to become teachers, supervisors, counselors, or teacher aides, or to perform other essential functions related to the instruction of children of limited English-speaking ability.

(p) "Project proposal" means an application for a grant for the planning, establishing, operating, or maintaining of services and activities designed for the purposes of title VII of the Act and submitted to the Commissioner for his approval.

(q) "Secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include education beyond grade 12.

(r) "Service function" means an educational service which is performed by a legal entity, such as an intermediate agency, whose jurisdiction does not extend to the whole of the State and which is authorized to provide consultative, advisory, or educational program services to public elementary or secondary schools, or which has regulatory functions over agencies having administrative control or direction of public elementary or secondary schools.

(s) "Special educational needs" means educational needs of or associated with children of limited English-speaking ability.

(t) "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(u) "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(20 U.S.C. 880b-3, 881)

Subpart B—Project Proposals

§ 123.2 General provisions.

A grant under this part will be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, only upon submission of an application (in the form of a project proposal) for such a grant at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary, and upon approval of the application by the Commissioner. Each project proposal must also be submitted to the appropriate State educational agency for its review and recommendations.

(20 U.S.C. 880b-3)

§ 123.3 Designation and certification of applicant agency.

(a) Each project proposal and amendment thereto shall give the official name of the applicant or applicants, which shall be the agency or agencies responsible for carrying out the project.

(b) Each such proposal shall include a certification by the officer authorized to make and submit the proposal on behalf of the applicant to the effect that the proposal has been adopted by the applicant.

(20 U.S.C. 880b-3)

§ 123.4 Purpose.

In order to stimulate and promote the development and operation of new imaginative elementary and secondary school programs designed to meet the special educational needs of children of limited English-speaking ability who are enrolled in schools having high concentrations of such children from families with incomes below \$3,000 per year or receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, grants will be made to cover the costs of services and activities under such programs, including but not limited to the following:

(a) Planning for and taking other steps leading to the development of such

programs;

(b) Research projects;

(c) Pilot projects;

(d) Development and dissemination of special instructional materials;

(e) Preservice training to prepare persons to participate as teachers, supervisors, counselors, teacher aides, or other ancillary education personnel;

(f) Inservice training of teachers, teacher aides, or other ancillary education personnel;

(g) Acquisition of necessary teaching materials and equipment;

(h) Provision of bilingual instruction;

(i) Impartment to students of a knowledge of the history and culture associated with their respective dominant language;

(j) Efforts to establish closer cooperation between the school and the home;

(k) Early childhood education designed to improve the potential of children of limited English-speaking ability for profitable learning;

(l) Related adult education, particularly for parents of participating children;

(m) Bilingual education activities designed for dropouts or potential dropouts; and

(n) Bilingual education activities in accredited trade, vocational, or technical schools.

(20 U.S.C. 880b-2)

§ 123.5 Information required in the project proposal.

Each project proposal shall describe the special services and activities previously provided with the use of State and local funds to children of limited English-speaking ability in the area to be served, the services and activities to be provided with funds made available under this part and how they are expected to meet the special educational needs, and substantially increase the educational opportunities, of children of limited English-speaking ability in the area to be served. In addition, it shall provide:

(a) That the services and activities for which assistance under this part is sought will be administered by or under the supervision of the applicant or applicants;

(b) That such services and activities will be carried out using such methods of administration as are necessary for the proper and efficient operation of the project;

(c) That an annual report and other reports will be made in such form, and containing such information, as the

Commissioner may reasonably require to carry out his functions under title VII of the Act, and to determine the extent to which the use of funds provided under this part has been effective in improving the educational opportunities of persons in the area served;

(d) That the applicant or applicants will keep such records, and afford such access thereto, as the Commissioner may find necessary to assure the correctness of such reports;

(e) That the project is of sufficient size, scope, and design to make substantial progress toward achieving the purposes of title VII of the Act;

(f) That the policies and procedures of the applicant or applicants will assure that funds made available under title VII of the Act for the project will be so used to supplement and, to the extent practicable, increase the level of funds (including funds made available under title I of the Act) that would, in the absence of funds under title VII of the Act, have been used by the grantee or grantees from State and local public sources for the purposes of this part and will in no case supplant such funds, taking into consideration the total amount of State and local funds budgeted for expenditures in the current fiscal year as compared with the total amount expended for such purposes in prior years;

(g) That there have been established such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the applicant or applicants under title VII of the Act;

(h) That, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this part is intended to meet, there will be genuine opportunities for participation by such children. Wherever practicable, programs and services made available to children enrolled in nonprofit private schools shall be provided on public premises. Provisions for services for children enrolled in nonprofit private elementary or secondary schools shall not include the paying of salaries of teachers or other employees of such schools except for services performed outside their regular hours of duty and under the supervision and control of a grantee, or the leaving of equipment on private school premises beyond the duration of the project, or the remodeling of private school facilities. None of the funds made available under title VII of the Act may be used for re-

ligious worship or instruction;

(i) That children of limited English-speaking ability who are not enrolled in school on a full-time basis will be given opportunities to participate in the project;

(j) That in planning the project the applicant or applicants have determined or will determine the needs of the children to be served after consultation with persons in families of limited English-speaking ability or with others knowledgeable of the needs of such children;

(k) That in carrying out the project the applicant or applicants will utilize assistance of persons with expertise in the educational problems of children of limited English-speaking ability and will make optimum use of the cultural and educational resources of the area to be served;

(l) That the project will be carried out only in schools having a high concentration of children of limited English-speaking ability from families (1) with incomes below \$3,000 per year, or (2) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act;

(m) That the project will be coordinated with other public and private programs having the same or similar purpose, including programs under other titles of the Act.

(20 U.S.C. 880b-3, 885)

§ 123.6 Amendments.

Whenever there is any change in the administration of an approved project, or in organization, policies, or operations affecting an approved project, the project proposal shall be appropriately amended. Substantive amendments will be subject to approval in the same manner as original applications.

(20 U.S.C. 880b-3)

§ 123.7-123.12 [Reserved]

Subpart C—Approval of Project Applications

§ 123.13 Criteria for the evaluation of proposals.

(a) Each proposal complying with the provisions of § 123.5 will be evaluated in the light of the recommendations of the appropriate State educational agency and in terms of the proposals, project design and educational significance, the qualifications of the personnel designated or intended to be used and the use of the best available talents and resources to conduct the project, the adequacy of

designated facilities, economic efficiency, feasibility and degree of participation in the planning of the project by persons in families of limited English-speaking ability with low incomes.

(b) The Commissioner will, in order to achieve equitable distribution, take into consideration (1) the geographical distribution within the State of children of limited English-speaking ability, (2) their relative need for a project under this part, and (3) the relative ability of local educational agencies to provide the required services and activities.

(20 U.S.C. 880b-3)

§ 123.14 Disposition of project proposals.

The Commissioner will, on the basis of an evaluation of a project proposal, (a) approve the project proposal in whole or in part, (b) disapprove the project proposal, or (c) defer action on the project proposal. Any deferral or disapproval of a proposal will not preclude its reconsideration or resubmission at a later date. The Commissioner will notify the applicant or applicants and the respective State educational agency of the disposition of the project proposal. The grant award document for an approved project will include a project budget and the terms and conditions upon which the grant is made.

(20 U.S.C. 880b-3)

§§ 123.15-123.20 [Reserved]

Subpart D—Federal Financial Participation and Payment Procedures

§ 123.21 Effective date of an approved project.

The effective date of any approved project shall be the date indicated in the grant award document. There will be no financial participation under title VII of the Act with respect to expenditures made prior to the effective date of such grant award.

(20 U.S.C. 880b-4)

§ 123.22 Extent of participation under title VII of the Act.

(a) Participation under title VII of the Act will be provided only for the services and activities which are of a type not previously carried on with the use of State or local funds in the area served or which increase the quantity or improve the quality of services and activities of the same type previously carried on with such funds in the area served.

(b) Funds made available under title

VII of the Act will be so used to supplement and, to the extent practical, increase the level of other funds (including funds made available under title I of the Act) that would, in the absence of funds made available under title VII of the Act, be made available for services and activities for the same purposes, and will in no case supplant such other funds, including funds made available under title I of the Act.

(20 U.S.C. 880b-3)

§ 123.23 Availability of funds for approved projects.

The issuance of a grant award document will be regarded as an obligation of the Government of the United States in the amount of the grant award. Federal appropriations so obligated will remain available for expenditure by the grantee or grantees during the period for which the grant is awarded. For purposes of the regulations in this part, funds will be considered to have been expended by a grantee on the basis of documentary evidence of binding commitments for the acquisition of goods or property, or for the performance of work, except that funds for personal services, for services performed by public utilities, for travel, and for the rental of facilities will be considered to have been expended as of the time such services were rendered, such travel was performed, and such rented facilities were used, respectively. Such binding commitments shall be liquidated within a reasonable period of time.

(31 U.S.C. 200)

§ 123.24 Fiscal and auditing procedures.

(a) Each project proposal shall designate the officer or officers who will receive and have custody of project funds.

(b) Each grantee receiving Federal funds for an approved project shall provide for such fiscal control and fund accounting procedures as are necessary to assure proper disbursement of, and accounting for, the Federal funds paid to it. Accounts and supporting documents relating to project expenditures shall be adequate to permit an accurate and expeditious audit.

(c) Each grantee shall make appropriate provision for the auditing of project expenditure records, and such records as well as the audit reports shall be available to auditors of the Federal Government.

(20 U.S.C. 880b-3)

§ 123.25 Adjustments.

Each grantee shall, in maintaining

program expenditure accounts, records, and reports, make any necessary adjustments to reflect refunds, credits, underpayments, or overpayments, as well as any adjustments resulting from Federal or local administrative reviews and audits. Such adjustments shall be set forth in the financial reports filed with the Commissioner.

(20 U.S.C. 880b-3)

§ 123.26 Disposal of records.

(a) Each grantee shall keep intact and accessible all records pertaining to such Federal grants or relating to the expenditure of grant funds (1) for 5 years after the close of the fiscal year in which the expenditure is liquidated, or (2) until the grantee is notified that such records are not needed for program administrative review, whichever occurs first.

(b) The records pertaining to any claim or expenditure which has been questioned at the time of audit shall be further maintained until necessary adjustments have been reviewed and cleared by the Department of Health, Education, and Welfare.

(20 U.S.C. 880b-3)

§ 123.27 Cooperative agreements.

A grantee under this part may enter into a cooperative agreement or contract to receive services under a project if the services so received, as well as the co-operating institution, organization, or agency are specified in the project proposal, but only if the grantee retains responsibility for the project and the project remains under its supervision and control.

(20 U.S.C. 880b-3)

§ 123.28 Eligible expenditures.

The Commissioner will pay to each applicant which has an application approved under this part an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein. Expenditures which are eligible under this part are those expenditures which (1) conform to the terms of the approved project, (2) are incurred for activities which supplement instruction and other activities, services and programs that had previously been provided for children in public schools, and (3) are clearly identifiable as additional expenditures incurred as a result of the program under this part, including expenditures for necessary minor remodeling.

(20 U.S.C. 880b-4)

§ 123.29 Funds not expended.

In the event that funds previously made available under this part have not been expended pursuant to the approved project and, in the judgment of the Commissioner, will not be expended for such purposes, the Commissioner may, upon notice to the recipient, reduce the amount of the grant or payment to an amount consistent with the recipient's needs. In the event that an excess over the sum needed for completion of the project shall have actually been paid to the recipient, the custodian of the project funds shall pay that excess over to the Commissioner.

(20 U.S.C. 880b-4)

§§ 123.30-123.34 [Reserved]

Subpart E—Equipment and Teaching Materials

§ 123.35 Title to equipment and teaching materials.

Title to equipment and teaching materials acquired under title VII of the Act must be vested in, and be retained by, the grantee or some public agency.

(20 U.S.C. 880b-2)

§ 123.36 Use and control.

All equipment and teaching materials acquired under title VII of the Act must for the expected useful life of the equipment or until it is disposed of, be used for the purposes specified in the approved project, and such materials and their use must be subject to the administrative control of the grantee.

(20 U.S.C. 880b-2)

§ 123.37 Inventories of equipment.

(a) Where equipment which costs \$100 or more per item is purchased by the grantee under an approved project, inventories and other records supporting accountability shall be maintained for the expected useful life of the equipment or until the equipment is disposed of, whichever occurs first.

(b) The records of such inventorying shall be retained for a period of 1 year after the end of the expected useful life of the equipment or after the equipment is disposed of.

(20 U.S.C. 880b-3)

§ 123.38 Copyrights and patents.

(a) Any material of a copyrightable nature produced through a project with financial assistance under title VII of the Act shall not be copyrighted, but shall be placed in the public domain un-

less, at the request of the grantee and upon a showing that it will result in more effective development or dissemination of the material and would otherwise be in the public interest, the Commissioner may authorize arrangements for the copyright of the material for a limited period of time.

(b) Any materials of a patentable nature produced through a project with financial assistance under title VII of the Act shall be subject to the provisions of 45 CFR Parts 6 and 8.

(BOB letter of Sept. 3, 1964 to Register of Copyrights and 28 F.R. 10943, Oct. 12, 1963)

§§ 123.39–123.43 [Reserved]

Subpart F—Joint Project Applications

§ 123.44 Budgets.

A joint application made by two or more local educational agencies, or by an institution of higher education and one or more local educational agencies may have separate budgets corresponding to the programs, services, and activities performed by each of the joint applicants, or may have a combined budget. If joint applications present separate budgets the Commissioner may grant separate amounts to each of the joint applicants.

(20 U.S.C. 880b-3)

§§ 123.45–123.49 [Reserved]

Subpart G—Eligibility of Children To Participate

§ 123.50 Participation by children from families other than low income families.

None of the children with limited English-speaking ability in the area to be served by a project under this part who would benefit from the services and activities to be provided through a grant under this title of the Act shall be denied the opportunity to participate in those services and activities on the ground that they are not children from families with incomes below \$3,000 per year or receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act.

(20 U.S.C. 880b-2)

§ 123.51 Participation by children from environments where English is the dominant language.

Children in the area to be served who are from environments where English is the dominant language should be allowed to participate in an approved project if such a participation would enhance the effectiveness of the project.

(20 U.S.C. 880b-2)

Dated: December 6, 1968.

HAROLD HOWE II,
U.S. Commissioner of Education.

Approved: December 19, 1968.

WILBUR J. COHEN,
Secretary of Health,
Education, and Welfare.

[F.R. Doc. 69-166; Filed, Jan. 6, 1969;
8:48 a.m.]

APPENDIX I

SAMPLE OF SURVEY QUESTIONNAIRE
UTILIZES FOR THIS STUDY

Instructions:

The attached survey questionnaire is divided into four parts. Most of the questions have individual instructions and will necessitate your taking into consideration said instructions. Please feel free to use the backs of the sheets of paper to elaborate or continue your comments or responses.

For your information the following is a brief background regarding each section:

Section I: Biographical Data

This section will give the investigator an overview of the respondents' background, e.g., age, training, organizational affiliation, etc.

Section II: Events

Research shows that there were approximately 15 events which dealt with the highlighting of bilingual education or the Bilingual Education Act during October 30, 1966 to its signing in January, 1968. As a respondent you should attempt to recall your role at each of the events listed. Please don't leave any blanks.

Section III: Perceptions and Opinions

This section attempts to have you recall your rationale for your involvement in the influencing for the passage of the Bilingual Education Act of 1966-68.

Section IV: Two Years After

This section could potentially be the most important. Your involvement in a movement, a cause or in this case Educational Reform will many times be compromised or distorted from your original ideal or concept. The questions developed for this section are designed to see "what has happened" to the BEA.

SECTION I will require your response to some questions based on your professional background. This will help the investigator in developing a profile of the individuals that became involved in bringing about educational reform in the area of Bilingual Education.

SECTION I -- BIOGRAPHICAL PROFILE

Name: _____

Respondent's Title: _____

Male: _____ Female: _____ Age: _____

Respondent's Business Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Area Code: _____

1. Years in present position (Circle one)

- a. 0-1
- b. 1-5
- c. 5-10
- d. 10-20
- e. More than 20

2. Level of professional preparation. (Circle the most applicable letter)

- a. Bachelor's Degree
- b. Bachelor's Degree plus additional courses
- c. Master's Degree
- d. Master's Degree plus additional courses
- e. Doctorate
- f. Doctorate plus additional courses
- g. Other (specify) _____

3. Area of academic training or specialization. Specify area(s). _____

4. Please list specific professional position(s) you held during the period October 30, 1966 to January 15, 1968. _____

5. List the type of position(s) in your previous professional experiences that best represent your involvement with education. _____

6. List the specific professional organization(s) in which you held membership(s) during the period October 30, 1966 to January 15, 1968. _____

7. a. What was the "home-language" when you were a child (ages 1-5)? _____

- b. What other languages were spoken inter-changeably with your "home-language"? _____

SECTION II is a list of identified events which took place during the specific time period of this survey (October 30, 1966 to January 15, 1968). Each event was an integral part of the over-all series of circumstances that helped influence the passage of the Bilingual Education Act. Your responses should correspond to, or be based upon, the role you played in each of the events listed. In order to denote your status at each event, please CHECK the appropriate Box(es).

EVENTS

Participant or Attendee	Speaker, Panel Member, Workshop Leader, etc.	Not in Atten- dance	Other (specify)
1. Tucson, Arizona - October 30-31, 1966 third Nat'l NEA-PR&P Conf. on Civil & Human Rights in Educ. Symposium: "The Spanish-Speaking Child in the Schools of the Southwest."			
2. Fresno, California - April 1, 1967 sponsored by NEA Relations Committee- Central Section/CTA. "The Spanish- Speaking Child in the Schools of Central California." What Are We Doing Now? What Can Be Done?			
3. Bakersfield, California - April, 1967 sponsored by NEA Relations Committee- Central Section/CTA. "The Spanish- Speaking Child in the Schools of Central California." What Are We Doing Now? What Can Be Done?			

<u>EVENTS</u>		Participant or Attendee	Speaker, Panel Member, Workshop Leader, etc.	Not in Atten- dance	Other (specify)
4. San Antonio, Texas - April 13-15, 1967 Texas Conference for the Mexican-American: Improving Educational Opportunity. Sponsored by the Southwest Education Devel- opment Laboratory, Texas Education Agency and Inter-American Educational Center.					
5. Los Angeles, California - April 13-15, 1967 Nuevas Vistas: The First Annual Conference. Sponsored by the California State Department of Education.					

(QUESTIONS 6 TO 11 REFER TO THE SENATE HEARINGS ON S. 428 AS CONDUCTED BY THEN-SENATOR RALPH YARBOROUGH.)

<u>EVENTS</u>		Participant or Attendee	Speaker, Panel Member, Workshop Leader, etc.	Not in Atten- dance	Other (specify)
6. Washington, D.C. - May 18-19, 1967 (Senate Hearings on S. 428).					
7. Corpus Christi, Texas - May 26, 1967 (Senate Hearings on S. 428).					
8. Edinburgh, Texas - May 29, 1967 (Senate Hearings on S. 428).					
9. San Antonio, Texas - May 31, 1967 (Senate Hearings on S. 428).					

<u>EVENTS</u>		Participant or Attendee	Speaker, Panel Member, Workshop Leader, etc.	Not in Atten- dance	Other (specify)
10.	Los Angeles, California - June 24, 1967 (Senate Hearings on S. 428).				
11.	New York, New York - July 21, 1967 (Senate Hearings on S. 428).				
12.	Washington, D.C. - June 28-29, 1967 House Hearings on Bilingual Education Programs chaired by Rep. Roman Pucinski, Democrat of Illinois.				
13.	Pueblo, Colorado - October 13-14, 1967 "Strategy for Emphasis Today and Tomorrow." Sponsored by State O.E.O., Colorado Education Association and National Education Association.				
14.	El Paso, Texas - October 26-28, 1967 The Cabinet Committee Hearings on Mexican-American Affairs. Sponsored by the Inter-Agency Committee on Mexican-American Affairs.				
15.	Washington, D.C. (The White House) - January 15, 1968 - Signing of the Bilingual Education Act by President Lyndon B. Johnson as part of the amendments to the ESEA of 1965.				

NOTE: Please list any other events you might have attended during this particular time period which might have had some bearing on the passage of the Bilingual Education Act.

EXTRA EVENTS: (state place, date, theme of event, sponsor, your role.)

SECTION III

seeks to have you recall your perceptions and opinions as you expressed them during the specific time period of this survey (October 30, 1967 to January 15, 1968). In other words, your responses should basically reflect the rationale for your involvement in the passage or influencing of the Bilingual Education Act.

1. List in order of preference the grade levels you intended the Bilingual Education Act to serve. Mark all categories.

K-3 (early childhood/primary)
 1-6 (elementary)
 7-8 (intermediate/junior high)
 9-12 (senior high)
 Other (specify) _____

2. In your opinion, when the BEA was being promoted, which of the following groups had the priority? Please list all items in order of priority with #1 being the most important to #9 being the least important. Mark all categories.

American Indians
 Asian American (Chinese/Japanese)
 Blacks
 French
 Mexican-Americans
 Poor Whites
 Puerto Ricans
 Other Spanish-origin groups (specify) _____
 Other(s) (specify) _____

3. In your opinion, which of the following languages did you think had top priority? Please list in order of priority with #1 being the most important to #6 being the least important. Mark all categories.

Portuguese
 Chinese (cantonese)/Japanese
 Indian Dialect includes Eskimo
 French

Spanish
 Ghehuses/Black English
 Other (specify) _____

4. Rank the following eight organizations and groups from most influential (#1) to least influential (#8) in the promotion and influencing of the BEA. Also write in the name of the organization/group which best represents each category.

_____	Professional education associations	_____
_____	Community or service groups	_____
_____	Local educational agencies/personnel	_____
_____	State educational agencies/personnel	_____
_____	Federal educational agencies/personnel	_____
_____	Higher education personnel	_____
_____	Members of Congress	_____
_____	Other (specify)	_____

5. List in order the top five (5) people most influential in the passage of the BEA (Include yourself)

1.	_____
2.	_____
3.	_____
4.	_____
5.	_____

Many ideas were being articulated as to what program components should be stressed in a bilingual education program for children of limited English-speaking background during the specified time period. This next area is designed to elicit from you some perceptions as to the components of those programs for the target population. The DIRECTIONS and STRESS SCALE for rating are enclosed in boxes.

DIRECTIONS: Please circle the number which best indicated the stress which you perceived to be of the most importance.

STRESS SCALE:

1.	Never
2.	Rarely
3.	Sometimes
4.	Fairly often
5.	Frequently

6. Components of programs as you perceived them to be stressed in a bilingual education program during the period in which the BEA was being promoted into national legislation.

1.	Culture and heritage.....	1	2	3	4	5
2.	Parent involvement.....	1	2	3	4	5
3.	"Home-language" (Preservation & development).....	1	2	3	4	5
4.	Language (Learning a new language).....	1	2	3	4	5
5.	Cognitive development.....	1	2	3	4	5
6.	Affective development.....	1	2	3	4	5
7.	Drop-out prevention emphasis.....	1	2	3	4	5
8.	Adult education.....	1	2	3	4	5
9.	Early childhood education.....	1	2	3	4	5
10.	Vocational or technical education emphasis.....	1	2	3	4	5

In order to adequately ascertain some perceptions, it is necessary to know as accurately as possible what factors you perceived as being important during the specified time period. Please respond as candidly and forthrightly as possible by circling the number that best describes your perceptions.

7. Initially did you perceive the BEA as being:

YES	NO	NO OPINION/ UNDECIDED	
(1)	(2)	(3)	
1.....	2	3	a. good for the child?
1.....	2	3	b. helpful in drop-out prevention?
1.....	2	3	c. equal educational opportunity?
1.....	2	3	d. an upward mobility level?
1.....	2	3	e. helpful to the child in maintaining his ethnicity?
1.....	2	3	f. counter to the idea of the "melting pot philosophy"?
1.....	2	3	g. a contribution to cultural pluralism?
1.....	2	3	h. a disruptive or negative education experience?
1.....	2	3	i. sound education?
1.....	2	3	j. a total solution for the needs of limited English-speaking children?
1.....	2	3	k. a challenge to English-as-a-second-language?
1.....	2	3	l. politically motivated?
1.....	2	3	m. good for international relations?

9. As part of the conferences and hearing, many types of programs were discussed as being of importance to the success of the over-all bilingual education effort. Listed below are some broad categories which I would like you to rank in order of most importance (#1) to least importance (#6) as you thought about them during the discussions. Mark all categories.

- a. Materials development _____
- b. Demonstration/pilot programs _____
- c. Staff development by local educational agencies _____
- d. Research projects _____
- e. Acquisition of equipment _____
- f. Staff development by teacher training institutions _____

SECTION IV has to do with your reactions to Programs funded by the Bilingual Education Act (Title VII, ESEA) two years after its passage. Much has transpired since the guidelines were developed and the first and second year programs were selected and funded by the USOE. Also, much of the political atmosphere has changed since the BEA was passed by Congress. It is the intention of this particular section to ascertain some of your observations as well as some of your perceptions of: What has initially worked and what has initially not worked? Where do we go from here? What do we look forward to? How do we change some of the initial short-comings?

=====

1. Have you been connected with any program that has received monies from Title VII since it was funded by Congress? (Check one)

Yes _____ No _____ (If yes, please give a brief description as to the type of program, grant period dates, grade level, language, pupils being served, etc.)

2. On which of the following grade levels do you think Title VII has made the most impact? List in order of most impact (#1) to least impact (#5). Mark all categories.

_____ a. K-3	_____ d. 9-12
_____ b. 1-6	_____ e. Other (specify)
_____ c. 7-8	

3. List in order of preference the three ethnic or national-origin group(s) you think have benefited the most from the BEA?

1. _____ 3. _____

2. _____

4. Do you think that children from environments where English is the dominant language should be:
(Circle one)

1. a lesser part of the program
2. a greater part of the program
3. an equal part of the program

5. Rank in order of priority the following types of program which you think contribute to the over-all success of the objectives of the BEA: (Most significant #1 to least significant #6). (Mark all categories.)

- a. teacher training/staff development
- b. curriculum development
- c. materials development
- d. research projects
- e. adult education programs
- f. pilot/demonstration programs

6. What congressmen or senators do you think have the most interest at this time in promoting Bilingual Education? List three in order of preference.

1. _____
2. _____
3. _____

=====

YES	NO	DON'T KNOW	
(1)	(2)	(3)	(Circle One)
1	2	3	7. Do you think that the Bilingual Education programs funded by Title VII have been integrated into the over-all school curriculum?

- | | | | |
|-----|-----|---------------|--------------|
| YES | NO | DON'T
KNOW | |
| (1) | (2) | (3) | (Circle one) |
- 1 3 8. Have any state educational agencies made some curriculum changes as a result of the BEA?
If yes, describe briefly.
- 2 9. Do you think Congress has lost interest in Bilingual Education?
- 3 10. Have any state educational laws been changed as a result of the BEA? If yes, briefly describe, name state(s), etc.
- 3 11. Have any state educational agencies made certification changes as a result of the BEA? If yes, briefly describe.
- 3 12. Do you think Title VII programs are at times designed with the subtle intent of segregating linguistically/culturally different children?
- 3 13. Do you think that children who meet the economic level (\$3,000) or are on AFDC (welfare) should be the only target population?
14. Do you think that the USOE has proven to be supportive of the BEA? (Check one and clarify your answer)
Yes _____ No _____
15. Do you think, from your observations during the last two years, that USOE has developed guidelines consistent with your perceptions of the BEA? (Check one and clarify your answer)
Yes _____ No _____

APPENDIX J

ADVISORY COMMITTEE ON THE EDUCATION
OF BILINGUAL CHILDREN

<u>MEMBER</u>	<u>TERM</u>	<u>EXPIRATION</u>
Theodore Andersson, Ph.D. Director of Language Development- Bilingual Programs Southwest Educational Development Laboratory 800 Brazos Street Austin, Texas 78701	3 years	6/30/71
Gloria J. Battisti (Mrs.) 13900 Shaker Boulevard Apartment 914 Cleveland, Ohio 44120	1 year	6/30/71
Robert Beaudoin, M.D. 1008 Elm Street Manchester, New Hampshire 03101	3 years	6/30/71
Agnes I. Chan (Mrs.) 980 Sacramento Street San Francisco, California 94108	3 years	6/30/73
Oscar Diaz de Villegas (Mr.) 73 Hato Rey 46 Esmeralda Street Golden Gate, San Juan, Puerto Rico 00920	3 years	6/30/73
Barbara Sung Boon Kim (Miss) Program Specialist for Speech State Department of Education Honolulu, Hawaii 96804	1 year	6/30/71
Robert Lado, Ph.D., Dean Institute of Language & Linguistics Georgetown University Nevils Building, Room 455 36th Street at N., N.W. Washington, D.C. 20007	3 years	6/30/71
Hilario S. Peña, Ph.D. 2477 Wellesley Avenue Los Angeles, California 90064	1 year	6/30/71
Lois C. White (Mrs.) 1302 Dawson Street San Antonio, Texas 78202	3 years	6/30/73

BIBLIOGRAPHY

BIBLIOGRAPHY

PRIOR TO 1966

- Andersson, Theodore. "A New Focus on the Bilingual Child." Modern Language Journal, Vol. XLIX, No. 3., March, 1965.
- Bailey, Stephen K. The Office of Education and the Education Act of 1965. Inter-University Case Program, #100. New York: Published for ICP by the Bobbs-Merrill Company, Inc., 1966.
- Blau, Peter M. Bureaucracy in Modern Society. New York: Random House, 1956.
- Christian, Chester C. "The Acculturation of the Bilingual Child." Modern Language Journal, Vol. XLIX, No. 3., March, 1965.
- Fishman, Joshua A. "Bilingualism, Intelligence and Language Learning." Modern Language Journal, Vol. XLIX, No. 4., April, 1965.
- Fishman, Joshua A. "The Status and Prospects of Bilingualism in the United States." Modern Language Journal, Vol. XLIX, No. 3., March, 1965.
- Freeman, J. Leiper. The Political Process: Executive Bureau - Legislative Committee Relations. New York: Random House, 1955.
- Hakes, David T. "Psychological Aspects of Bilingualism." Modern Language Journal, Vol. XLIX, No. 4., April, 1965.
- Madsen, William. The Mexican-Americans of South Texas. New York: Holt, Rinehart and Winston, 1964.
- McDaniels, Carl. Federal Legislation on American Education. Chicago: Science Research Associates, 1965-66.
- Nava, Julian. Cultural Backgrounds and Barriers that Affect Learning by Spanish-Speaking Children. Research paper presented before the Los Angeles Board of Education, Los Angeles, California, 1966.
- Paz, Octavio. The Labyrinth of Solitude: Life and Thought in Mexico. Trans. by Lysander Kemp. New York: Grove Press, Inc., 1961.
- Woll, Peter. American Bureaucracy. New York: W.W. Norton Company, Inc., 1963.

1966

National Education Association. Las Voces Nuevas del Sudoeste. Proceedings of Third National NEA - PR & R Conference on Civil and Human Rights in Education. Tucson, Arizona, 1966.

National Education Association, Department of Rural Education. The Invisible Minority...Pero No Vencibles. Report of the NEA - Tucson Survey on the Teaching of Spanish to the Spanish-Speaking. Washington, D.C.: National Education Association, 1966.

Nava, Julian. "Cultural Backgrounds and Barriers that Affect Learning by Spanish-Speaking Children." Speech delivered before the L.A. Bd. of Educ., Los Angeles, California, 1966.

Noreen, Sister, D.C. "A Bilingual Curriculum for Spanish-Americans: A Regional Problem with Nation-wide Implications." Catholic School Journal. Vol. LXVI, No. 1, January, 1966.

1967

Colorado, Commission on Spanish - Surnamed Citizens, The Status of Spanish - Surnamed Citizens in Colorado. Report to the Colorado General Assembly. Denver, Colorado, 1967.

Estes, Dwain M., and Darling, David W., eds. Improving Educational Opportunities of the Mexican-American. Proceedings of the First Texas Conference for the Mexican-American, April 13-15, 1967, San Antonio, Texas. Austin, Texas: Southwest Educational Development Laboratory, Inter-American Education Center, Texas Education Agency, 1967.

Gardner, A. Bruce. "Organization of the Bilingual School." Journal of Social Issues, Vol. XXIII, No. 2, April, 1967.

Kloss, Heinz. "Bilingualism and Nationalism." Journal of Social Issues, Vol. XXIII, No. 2, April, 1967.

Knowlton, Clark S. "Spanish-Speaking People of the Southwest." El Paso, Texas, May 31, 1967 (mimeographed).

MacNamara, John. "Bilingualism in the Modern World." Journal of Social Issues, Vol. XXIII, No. 2, April, 1967.

1967

- Meranto, Philip. The Politics of Federal Aid to Education in 1965: A Study in Political Innovation. Syracuse: Syracuse University Press, 1967.
- National Education Association, Legislative Commission. Special Report on Federal Educational Programs, December 17, 1967. Washington, D.C.: National Education Association, 1967.
- National Education Association, Legislative Commission. Washington Outlook on Education, XIV, No. 13., December 28, 1967. Washington, D.C.: National Education Association, 1967.
- Pryor, Guy C. Evaluation of the Bilingual Project of Harlandale Independent School District, San Antonio, Texas, in the First Grade of Four Elementary Schools During the 1966-67 School Year. A Research Report for the Harlandale Independent School District, June, 1967. San Antonio, Texas: Our Lady of the Lake College, 1967.
- Southwest Council of Foreign Language Teachers. Reports: Bilingual Education: Research and Teaching. Edited by Chester Christian. El Paso, Texas, 1967.
- Thonis, Eleanor. Bilingual Education for Mexican-American Children: A Report of an Experiment Conducted in the Marysville Joint Unified School. District, Marysville, Calif., October, 1966-June, 1967. Prepared for the Mexican-American Education Project of the California State Department of Education. Sacramento, California: Department of Education, 1967.
- U.S., Congress, House, An Act to Amend the Elementary and Secondary Education Act of 1965, 90th Cong., 1st Sess., H.R. 13103, 1967.
- U.S., Congress, House, An Act to Amend the Elementary and Secondary Education Act of 1965, 90th Cong., 1st Sess., H.R. 7819, 1967.
- U.S., Congress, House, Committee on Education and Labor, Bilingual Education Programs, Hearings, before the General Subcommittee on Education, House of Representatives, H.R. 9840 and H.R. 10224, 90th Cong., 1st Sess., 1967.

1967

U.S., Congress, Senate, Committee on Labor and Public Welfare, Bilingual Education, Hearings, before Special Subcommittee on Bilingual Education, U.S. Senate, S. 428, 90th Cong., 1st Sess., 1967.

U.S., Congress, Senate, Committee on Labor and Welfare, Elementary and Secondary Education Act. Amendment of 1967, S. Rept. 726, 90th Cong., 1st Sess., 1967.

Whapple, Robert L., and Fodor, Alvin A. Bilingual Education for Mexican-American Children: An Experiment. Marysville, Calif.: Marysville Joint Unified School District, 1967.

1968

Angel, Frank. Program Content to Meet the Educational Needs of Mexican-Americans, Prepared for the National Conference on Educational Opportunities for Mexican-Americans, April 25-26, 1968, Austin, Texas. Las Cruces, New Mexico: A Research Report Prepared for ERIC Clearinghouse on Rural Education and Small Schools, 1968.

Bailey, Stephen K., and Mosher, Edith K. ESEA: The Office of Education Administers a Law. Syracuse: Syracuse University Press, 1968.

Brusell, Charles B. Disadvantaged Mexican-American Children and Early Educational Experience. Austin, Texas: Southwest Educational Development Laboratory, 1968.

Castañeda, Carlos. The Teachings of Don Juan: A Yaqui Way of Knowledge. New York: Ballantine Books, 1968.

National Advisory Committee on Mexican-American Education. The Mexican-American: Quest for Equality: A Report. Albuquerque, New Mexico: Southwestern Cooperative Educational Laboratory, 1968.

National Education Association, Legislative Commission. Special Report on Federal Educational Programs, February 2, 1968. Washington, D.C.: National Education Association, 1968.

1968

National Education Association, Legislative Commission.
Special Report on Federal Educational Programs,
March, 1968. Washington, D.C.: National Educa-
tion Association, 1968.

Palomares, Uvaldo H. and Cummins, Emery J. Assessment of
Rural Mexican-American Pupils Preschool and Grades
One Through Twelve - Wasco, Calif. A Research
Report Prepared for the Mexican-American Research
Project, Calif. State Department of Education.
Los Angeles: Calif. Dept. of Education, 1968.

Palomares, Uvaldo H. and Cummins, Emery J. Assessment of
Rural Mexican-American Pupils Preschool and Grades
One Through Six: San Ysidro, California, 1968.

A Research Report Prepared for the Mexican-American Research
Project, California State Department of Education.
Sacramento: Calif. Dept. of Education, 1968.

Rodriguez, Armando. "Bilingual Education - Now." Paper
Presented at the State Conference on Compensatory
Education, San Francisco, California, May 7, 1968.

Rodriguez, Armando M. "Speak up Chicano: Fight for Educa-
tional Equality." American Education. May 4, 1968.

Smith, Marguerite. ESL for Mexican-Americans. A Research
Report Prepared for the National Conference on Edu-
cational Opportunities for Mexican-Americans, April
25-26, 1968, Austin, Texas. Las Cruces, New Mexico:
ERIC Clearinghouse on Rural Education and Small
School, 1968.

Southwestern Cooperative Educational Laboratory. The Chicano
is Coming Out of Tortilla Flats...One Way or the
Other. Albuquerque, New Mexico, 1968.

Southwest Educational Development Laboratory. Proceedings of
the National Conference on Educational Opportunities
for Mexican-Americans. Austin, Texas, 1968.

Ulibarri, Horacio. Educational Needs of the Mexican-American.
A Research Report Prepared for the National Conference
on Educational Opportunities for Mexican-Americans,
April 25-26, 1968. Austin, Texas. Las Cruces, New
Mexico: ERIC Clearinghouse on Rural Education and
Small Schools, 1968.

1968

U.S., Commission on Civil Rights. Education and the Mexican-American Community in Los Angeles County - April, 1968. Report of the California State Advisory Committee. Washington, D.C.: Government Printing Office, 1968.

U.S., Congress, Senate, Committee on Labor and Public Welfare. Committee Print, Elementary and Secondary Education Act, Amendments of 1967, with Background Materials and Tables. Washington, D.C.: Government Printing Office, 1968.

U.S., Department of Health, Education and Welfare, Office of Education and Bureau of Research. Improving Educational Opportunities for Mexican-American Handicapped Children, by Jane Case Williams. Washington, D.C.: Government Printing Office, 1968.

U.S., Department of State, Inter-Agency Committee on Mexican-American Affairs. The Mexican-American: A New Focus on Opportunity. Testimony presented at the Cabinet Committee Hearings on Mexican-American Affairs, El Paso, Texas, October 26-28, 1967. Washington, D. C.: Government Printing Office, 1968.

Wilson, Herbert B. Evaluation of the Influence of Educational Programs on Mexican-Americans. A Research Report Prepared for National Conference on Educational Opportunities for Mexican-Americans, April 25-26, 1968, Austin, Texas. Las Cruces, New Mexico: ERIC Clearinghouse on Rural Education and Small Schools, 1968.

1969

Aarons, Alfred C.; Gordon, Barbara Y.; and Stewart, William A., eds. "Linguistic - Cultural Differences and American Education." The Florida FL Report, Special Anthology Issue: Spring/Summer 1969, Vol. VII, No. 1. North Miami Beach, Florida: The Florida FL Report, Inc., 1969.

1. Andersson, Theodore. "What is an Ideal English - Spanish Bilingual Program?"
2. Bernal, Joe J. "I Am Mexican-American."
3. Ott, Elizabeth. "The Bilingual Education Program of the Southwest Educational Development Laboratory."
4. Rodriquez, Armando. "The Mexican-American--- Disadvantaged? Ya Basta!"

1969

- Acuña, Rudolph. The Story of the Mexican-Americans: The Men and the Land. New York: American Book Company, 1969.
- Barrio, Raymond. The Plum Plum Pickers. Sunnyvale: Ventura Press, 1969.
- Brooks, Nelson. "The Meaning of Bilingualism Today." Foreign Language Annals, II, No. 3., March, 1969.
- Bustamente, Charles J., and Bustamente, Patricia L. The Mexican-American and the United States. Mountain View: Patty-Lar Publications, Ltd., 1969.
- California, Department of Education. Nuevas Vistas. A Report of the Second Annual Conference of the California State Department of Education, April, 1968, Los Angeles. Sacramento, Calif.: Department of Education, 1969.
- Carranza, Eliu. Pensamientos en los Chicanos: A Cultural Revolution. Berkeley, Calif.: Calif. Book Company, Ltd., 1969.
- Casavantes, Edward J. A New Look at the Attributes of the Mexican-American. Albuquerque, New Mexico: Southwest Cooperative Education Laboratory, 1969.
- Center for Urban Studies. "Bilingualism." The Center Forum, Vol. IV, No. 1. New York: Center for Urban Studies, 1969.
- Chicano Coordinating Council on Higher Education. El Plan de Santa Barbara. Oakland, California: La Causa Publication, 1969.
- Cordasco, Francesco. "The Bilingual Education Act." Phi Delta Kappan Journal, LI, No. 2, October, 1969.
- Hernandez, Luis F. A Forgotten American: A Resource Unit for Teachers of the Mexican-American. New York: Anti-Defamation League of B'Nai B'Rith, 1969.
- Matthiessen, Peter. Sal Si Puedes: Cesar Chavez and the New American Revolution. New York: Dell Publishing Co., Inc., 1969.

1969

- Nava, Julian. Mexican-Americans: Past, Present, and Future. New York: American Book Company, 1969.
- Ramirez, Manuel, III. Potential Contributions by the Behavior Sciences to Effective Preparation Programs for Teachers of Mexican-American Children. Las Cruces: A Research Document Prepared for ERIC, New Mexico State University, February, 1969.
- Regan, Timothy F. National Conference on Bilingual Education: Language Skills, Final Report for the Bureau of Research, U.S. Office of Education, Washington, D.C.: Executive System Corporation, 1969.
- Soriano, Jess, M., and McClafferty, James. "Spanish-speakers of the Midwest: They are Americans Too." Foreign Language Annals, Vol. II, No. 3., March, 1969.
- Southwest Council for Bilingual Education. Reports: Bilingual Education: Commitment and Involvement. Edited by Charles Olstad. Sixth Annual Conference, November 14-15, 1969. Tucson, Arizona: Southwest Council for Bilingual Education, 1969.
- Tebbel, John, and Ruiz, Ramon E. South By Southwest. Garden City: Doubleday & Company, Inc., 1969.
- Thonis, Eleanor Wall. Evaluating the Effectiveness of Programs Designed to Improve the Education of Mexican-American Pupils. A Research Report Prepared for the Mexican-American Education Research Project, California State Department of Education. Sacramento: Department of Education, 1969.
- Ulibarri, Horacio. Interpretive Studies on Bilingual Education. Final Report for the Bureau of Research, U.S. Office of Education. Albuquerque, New Mexico: University of New Mexico, 1969.
- U.S., Department of Health, Education and Welfare, Office of Education. Statistic Report of Preliminary Proposals Submitted Under ESEA Title VII Bilingual Education. Washington, D.C.: Division of Plans and Supplementary Centers, 1969.
- Valdez, Daniel T. The Hispano Revolt; Mexican-Americans, Puerto Ricans and Spanish Colonels on the Move. Denver: University of Denver, 1969.

Valencia, Atilano A. Bilingual/Bicultural Education: A Perspective Model in Multi-cultural America. Alburquerque, New Mexico: Southwestern Cooperative Educational Development Laboratory, 1969.

Walsh, Donald D. "Bilingualism and Bilingual Education." Foreign Language Annals, II, No. 3., March, 1969.

Yarborough, Ralph M. "Bilingual Education as a Social Force." Foreign Language Annals, II, No. 3., March, 1969.

1970

Aarons, Leroy F. "The Chicanos Want In." The Washington Post. January 11, 1970.

American Association of Teachers of Spanish and Portuguese. Teaching Spanish in School and College to Native Speakers of Spanish. Washington, D.C.: AATSP, 1970.

Burma, John H., ed. Mexican-Americans in the United States: A Reader. Cambridge Massachusetts: Schenkman Publishing Company, Inc., 1970.

Cardenas, Daniel N. Dominant Spanish Dialects Spoken in the United States. Washington, D.C.: A Research Report Prepared for ERIC Clearinghouse for Linguistics, 1970.

Cardenas, Jose A. "The Chasm of Conflicting Concerns." (An Address Presented to the Texas United Communities Services Annual Conference) Austin, Texas, Nov. 17, 1970.

Carter, Thomas P. Mexican-Americans in School: A History of Educational Neglect. New York: College Entrance Examination Board, 1970.

Donovan, John C. The Policy Makers. New York: Western Publishing Company, Inc., 1970.

Educational Resources Information Center, Clearinghouse for Linguistics. Bulletin No. 15. Washington, D.C.: Center for Applied Linguistics, 1970.

Educational Resources Information Center, Clearinghouse for Linguistics. Bulletin No. 16. Washington, D.C.: Center for Applied Linguistics, 1970.

Gaarder, A. Bruce. The First Seventy-six Bilingual Education Programs, Monograph Series on Language and Linguistics, November 23, 1970, ed. by James E. Alatis. Washington, D.C.: Georgetown University, 1970.

1970

- Galarza, Ernesto ; Gallegos, Herman ; and Samora, Julian. Mexican-Americans in the Southwest. Santa Barbara, California: McNally & Lottin, Publishers, 1970.
- Galarza, Ernesto. Spiders in the House and Workers in the Field. Notre Dame: University of Notre Dame Press, 1970.
- Grebler, Leo; Moore, Joan W.; and Guzman, Ralph C. The Mexican-American People: The Nation's Second Largest Minority. New York: The Free Press, 1970.
- Hernandez, Deluvina. Mexican-American Challenge to a Sacred Cow. Mexican-American Cultural Center, Monograph No. 1. Los Angeles: University of California, March, 1970.
- National Audio-Visual Association. "Special Report: Bilingual Education," NAVA NEWS -- Federal Programs Supplement, XXIV, September 14, 1970. Fairfax, Virginia: National Audio-Visual Association, 1970.
- National Education Association. National Association of Elementary School Principals. "Education for the Spanish-Speaking." The National Elementary Principle, Vol. L, No. 2., November, 1970.
- Nava, Julian. Mexican-Americans: A Brief Look at Their History. New York: Anti-Defamation League of B'Nai B'Rith, 1970.
- Ortego, Philip D. The Linguistic Imperative in Teaching English to Speakers of Other Languages. A Research Paper Prepared for Educational Resources Information Center. Clearinghouse for Linguistics, Washington, D.C.: Center for Applied Linguistics, 1970.
- Ortego, Philip D. "Montezuma's Children." The Center Magazine, (November/December, 1970). Santa Barbara, Calif.: Fund for the Republic, 1970.
- Rivera, Feliciano. A Mexican-American Source Book with Study Guidelines. Menlo Park, California: Educational Consulting Associates, 1970.
- Saville, Muriel R., and Troike, Rudolph C. A Handbook of Bilingual Education. A Research Document Prepared for ERIC Clearinghouse for Linguistics. Washington, D.C.: Center for Applied Linguistics, 1970.

1970

- Servin, Manuel P., ed. The Mexican-American: An Awakening Minority. Beverly Hills, California: Glencoe Press, 1970.
- Stanfield, Edwin. A Bilingual Approach: Education for Understanding. Austin, Texas: The Southwest Intergroup Relations Council, 1970.
- Steiner, Stan. La Raza: The Mexican-Americans. New York: Harper and Row, Publishers, 1970.
- Trejo, A. D. "Bicultural Americans with an Hispanic Tradition." Wilson Library Bulletin, March, 1970.
- U.S., Bureau of the Census, Current Population Reports, Series P-20, No. 213, "Persons of Spanish Origin in the United States: November, 1969." Washington, D.C.: U.S. Government Printing Office, 1970.
- U.S., Commission on Civil Rights, Civil Rights Digest, Vol. III, No. 1. Washington, D.C.: Government Printing Office, 1970.
- U.S., Commission on Civil Rights, Civil Rights Digest, Vol. III, No. 4, Washington, D.C.: Government Printing Office, 1970.
- U.S., Commission on Civil Rights, Report of the Texas Advisory Committee. Civil Rights in Texas. Washington, D.C.: Government Printing Office, 1970.
- U.S., Department of Health, Education and Welfare. Office of Education. Notification to Members of Congress, June 18, 1970. Washington, D.C.: Memorandum.
- Vasquez, Richard. Chicano. New York: Doubleday, 1970.
- Villareal, Jose Antonio. Pocho. New York: Doubleday & Company, Inc., 1970.

1971

- Acuna, Rudolph. A Mexican-American Chronicle. New York: American Book Company, 1971.
- Benitez, Mario. "Bilingual Education: The What, The How, and The How Far." Hispania, Vol. 54, No. 3, September, 1971.

1971

- Galarza, Ernesto. Barrio Boy. Notre Dame, Indiana: University of Notre Dame Press, 1971.
- Galarza, Ernesto. "Second Edition/Mexican-Americans." The Center Magazine, IV, (September/October 1971), 44-50.
- Kloss, Heinz. Laws and Legal Documents Relating to Problems of Bilingual Education in the United States. Washington, D.C.: A Research Report Prepared for the ERIC Clearinghouse for Linguistics, 1971.
- Massachusetts Teachers Association. "A Bilingual Bill: An Editorial." The Massachusetts Teacher, XLX (January, 1971), 2.
- Mexican-American Study Program. Proceedings of Symposium on Mexican-Americans and Educational Change, Riverside, California, 1971. Edited by Alfredo Castaneda and Manuel Ramirez, III. (Unpublished)
- National Consortia for Bilingual Education. Report of Survey Findings: Assessment of Needs of Bilingual Education Programs. Fort Worth, Texas: National Consortia for Bilingual Education, 1971.
- National Consortia for Bilingual Education. Tests in Use in Title VII Bilingual Education Projects. Fort Worth, Texas: National Consortia for Bilingual Education, 1971.
- Ortego, Philip D. "Schools for Mexican-Americans: Between Two Cultures." Saturday Review, April 17, 1971.
- Simmen, Edward, ed. The Chicano: From Caricature to Self-Portrait. New York: New American Library, 1971.
- U.S., Bureau of the Census, Current Population Report, Series P-20, No. 221, "Characteristics of the Population by Ethnic Origin: November, 1969," U.S. Government Printing Office, Washington, D.C., 1971.
- U.S., Commission on Civil Rights, Ethnic Isolation of Mexican-Americans in the Public Schools of the Southwest. A Research Report of the Mexican-American Study Series, Report No. 1, Washington, D.C.: Government Printing Office, 1971.

1971

Valencio, Atilano A. "Bilingual/Bicultural Education: A Quest for Institutional Reform!" Intergroup, Bulletin Series, Western Regional School Desegregation Project. Riverside, California: University of California, 1971.

1972

Castañeda, Alfredo, and Ramirez, Manuel, III. "Cultural Democratic Learning Environments: A Cognitive Styles Approach." A Research Document Prepared for the Multi-Lingual Assessment Project under a grant by the U.S. Office of Education, Department of Health, Education and Welfare. Riverside, California: Systems and Evaluations in Education, 1972.

Cox, William R. Chicano Cruz. New York: Bantam Books, 1972.

Kobrick, Jeffrey W. "The Compelling Case for Bilingual Education." Saturday Review. April 29, 1972.

University Council for Educational Administration. Newsletter, Vol. XIII, No. 4, April, 1972.

U.S., Commission on Civil Rights. The Unfinished Education: Outcomes for Minority Students in the Five Southwestern States. A Research Report of the Mexican-American Education Study Series, Report No. 2. Washington, D.C.: Government Printing Office, 1972.

